

# The Gazette of India



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## NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 19th April, 1960:—

| Issue No. | No. and date                         | Issued by                   | Subject,  |
|-----------|--------------------------------------|-----------------------------|---|
| 81        | S.O. 958, dated the 14th April 1960. | Election Commission, India. | List of contesting candidates for election to the House of the People from Calcutta South-West Parliamentary Constituency.  |
| 82        | S.O. 959, dated the 18th April 1960. | Ministry of Law             | List of Offices declared to be offices to which provisions of sub-section (4) of section 20 of the Representation of the People Act, 1950 (43 of 1950) shall apply.                                     |
| 83        | S.O. 960, dated the 19th April 1960. | Do.                         | Declaration containing the name of the candidate elected by the members of the Madras Legislative Assembly to the Council of States to fill a casual vacancy.   |
| 84        | S.O. 961, dated the 19th April 1960. | Do.                         | Declarations containing names of candidates elected to the House of the People from the Visakhapatnam Parliamentary Constituency and the 361 Unnao Parliamentary Constituency to fill casual vacancies. |

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

**PART II—SECTION 3—Sub-section (ii)**

**Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administrations of Union Territories).**

**ELECTION COMMISSION, INDIA**

*New Delhi, the 21st April 1960*

**S.O. 1012.**—In pursuance of the provisions of sub-section (1) of section 86 of the Representation of the People Act, 1951, the Election Commission hereby publishes a copy of the Election Petition No. 13 of 1960 presented to the Commission on the 8th April, 1960 under section 81 of the said Act, by Shri A. D. Mani, Journalist, resident of Hitavada House, Vidyawihar, Bhopal, calling in question the election to the Council of States by the elected members of the Madhya Pradesh Legislative Assembly of Shri Kesheo Prasad Verma, Fafidh Ward, Raipur, Madhya Pradesh.

Received by Registered Post this the Eighth day of April One Thousand Nine Hundred and Sixty.

Sd/- C. B. LAL,

8th April 1960

Under Secretary,  
Election Commission, India.  
(Tele. No. 44372)

**ELECTION PETITION No. 13 OF 1960****BEFORE THE ELECTION COMMISSION, INDIA****Petitioner:**

Shri A. D. Mani,.....years, Journalist, resident of Hitavada House, Vidyawihar, Bhopal.

**Versus****Respondents:**

1. Shri Bhanupratapsingh Girraj Singh, Komakant, District. Raipur.
2. Shri Gopkishan Balmukund, Member of Parliament, Gona, P.O. Gona.
3. Shri Ratanlal Kishorilal Malviya, Mahendragad, District Surguja, Madhya Pradesh.
4. Shri Gurudeo Shri, Kasauta House, Venkat Road, Rewa, Madhya Pradesh.
5. Shri Kesheo Prasad Verma, Fafidh Ward, Raipur, Madhya Pradesh.
6. Shri Niranjan Shankerlal, Address Shri Niranjan Verma Advocate, Vidisha District, Bilaspur, M.P.
7. Shri Rameshwar Agnibhoj, Advocate, Bhopal, M.P.
8. Shri Gurudeo Saran, City Lashkar, Halka No. 14, Tahsil & District Gwalior.
9. Shri Mansoor Shah, Kampoo Road, Madhava Ganj, Lashkar, Gwalior.
10. Shrimati Manohara Holkar, 383, Govindpura, Raisen Road, Bhopal.

*Petition for setting aside by declaring void the election of returned candidate Mr. K. P. Verma, respondent No. 5 and declaring the petitioner as duly elected member of Council of State representing State of Madhya Pradesh*

The petitioner begs to apply as under:—

1. That out of the seats allotted to Madhya Pradesh State under Article 80 of the Constitution, five seats which had fallen vacant were notified for being filled in by Election Commission, India to Council of State or Rajya Sabha. That the date fixed for election was 24th March 1960. That the petitioner and the respondents were the duly nominated and contesting candidates for the five seats to be filled in. That the election was held under the supervision of the Returning Officer Shri Raghunathsingh.

2. That there were 270 Ballot Papers received by the Returning Officer; out of these 5 ballot papers were declared invalid by him. The election was required by law to be in accordance with the system of proportional representation by means

of single transferable vote. The Returning Officer declared the quota sufficient to secure the return of the candidate at 43 for being declared elected. That the Returning Officer declared respondents Nos. 1, 2, 3, 4 and 5 as being duly elected members to the Council of State or Rajya Sabha on 24th March 1960 on which day the counting of votes was done. The petitioner was declared to have lost by a very narrow majority of a few points.

3. The petitioner is entitled to a declaration that the election of returned candidate, Shri K. P. Verma respondent No. 5 be declared void and that the petitioner be declared as being duly elected member to the Council of State or Rajya Sabha to one of the five seats filled at the election held on 24th March 1960 and of which the result was declared on 24th March 1960 by the Returning Officer.

4. The grounds for declaring the election of returned candidate void and declaring the petitioner as duly elected member of Rajya Sabha, on behalf of Madhya Pradesh at the election held on 24th March 1960 are:—

(a) That the Returning Officer wrongly rejected the ballot paper on which was the only mark against the name of the petitioner; that ballot paper was rejected. No reasons have been recorded by the Returning Officer for the rejection of that paper. It is surmised that the paper has been rejected on the ground that the mark put by the elector bears No. 2, as it were written by some less literate voter; it could as well be deciphered as 1. However, at the least that paper could be counted as second preference with full value in favour of the petitioner. The rejection of that voting paper is improper, illegal and without jurisdiction. It has materially affected the result of election; it is a non-compliance with the provisions of the Representation of the People Act and the Rules made thereunder. The ground on which the ballot paper is rejected could not be based on any mandatory provision and as such that voting paper ought to be taken into account in doing the recount.

(b) That the Returning Officer has not followed the directions for counting the votes i.e. the preferences correctly as laid down in the rules in that, he committed the following omissions:—

(i) That the Returning Officer did not count the third preference votes recorded in some of the ballot papers, which were liable to be calculated at the value of one-hundred, in favour of the petitioner in as much as the candidates against whose names first and second preference were recorded were excluded candidates being lowest in the poll. If these values are calculated in favour of the petitioner, he is sure to get declared elected before the candidate or candidates declared elected. On this ground also the petitioner is entitled to get the reliefs asked for, the result being materially affected.

(ii) That the Returning Officer has failed equally to calculate the third and subsequent preferences, much less at proper value, marked on ballot papers in favour of candidates who have been declared elected by reason of counting of first and second preferences noted thereon and yet leaving values to be counted in favour of continuing candidates of whom the petitioner was one; not counting these values amounts to exclusion of votes recorded in favour of the petitioner. Even this amount of value of third preferences would place the petitioner very much higher than the last of the Returned Candidate declared elected.

(iii) That the Returning Officer has not prepared the forms prescribed for methods of counting the votes and has not submitted the methods of counting as a result of which each of the returned candidate was declared elected; both the manner of fixing quota and the method of counting the same in favour of each of the candidates is illegal and arbitrary; even the submissions of return made by the Returning Officer to Election Commission are contrary to law and procedure prescribed.

5. Because of the non-compliance of the provisions of Representation of People Act, 1951, and the rules framed thereunder and the Constitution, the result of the election so far as it concerns the returned candidates has been materially affected; this would be evident if a proper counting is made by ordering recounting or if the counting is made by the Commission or Tribunal itself, the result as declared by Returning Officer in favour of the Respondents who are declared Returned Candidates would be different in as much as the petitioner would be one of the Returned Candidates getting the quota at least before the last of the Returned Candidates declared elected, viz. respondent No. 5 whose election is rendered void because of

exclusion of votes and their values in favour of the petitioner. In short the election is liable to be declared void because of improper reception of votes and illegal and improper acceptance of votes, affecting materially the result of election.

6. The petitioner is enclosing with the petition the deposit receipt showing that the sum of Rs. 1,000 has been made by him in the Reserve Bank of India (Nagpur Branch) in favour of the Election Commission as security for the costs of the petition.

7. The petitioner relies on the ballot papers of the impugned election and other papers such as of counting etc. in possession of the Returning Officer in charge of this Election or the Election Commission if the same have been despatched to it by the Returning Officer.

It is, therefore, prayed that—

- (i) the election of the Returned Candidate viz. respondent No. 5 be declared void, as he does not get the minimum quota for being declared Returned Candidate, and much less before the petitioner gets the same and before all the five seats are filled in because of improper rejection of ballot papers;
- (ii) the petitioner be declared duly elected as being one of the Returned Candidates to the five seats filled at the election held on 24th March 1960 for Council of State, representing the Madhya Pradesh State;
- (iii) such other ancillary reliefs in matter of recount or other reliefs be granted for granting the main reliefs mentioned in clauses (i) and (ii) above;
- (iv) the costs of the petition be saddled on the respondents.

Dated 6th April 1960.

Sd/- A. D. MANI,  
Petitioner.

Sd/- B. R. MANDLEKAR,  
Counsel for Petitioner.  
6-4-1960

#### Verification

I, A. D. Mani, ..... years, journalist, resident of Hitvada House, Vidyawihar, Bhopal, petitioner, do hereby state on solemn affirmation that the allegations in paragraphs 1, 3 and 7 are true to my own personal knowledge and those in paragraphs 2, 4, 5 and 6 are true to the information received from his counting Agents Messrs. Balmukund Bhartiya and Yeshwant Argaray, both residents of Bhopal.

Signed and verified at Nagpur this 6th day of April, 1960.

Sd/- A. D. MANI,  
Petitioner.

[No. 82/13/60.]

By Order,

C. B. LAL, Under Secy.

#### MINISTRY OF HOME AFFAIRS

New Delhi, the 20th April 1960

S.O. 1013.—In exercise of the powers conferred by entry 3(b) of the table annexed to Schedule I to the Indian Arms Rules, 1951, the Central Government is pleased to specify Maharajkumar Pratapsinhji Hamirsinhji, heir-apparent to the ruler of Vijaynagar, for the purposes of that entry and directs that the exemption shall be valid in respect of 1 gun/rifle and 1 pistol revolver.

[No. 16/2/60-P.IV.]

C. P. S. MENON, Dy. Secy.

*New Delhi, the 20th April 1960*

**S.O. 1014.**—In pursuance of clause (1) of article 239 of the Constitution and in supersession of the notification of the Government of India in the Ministry of Home Affairs No. 2/26/49(II)-Public dated the 12th January 1950 and also in partial modification of the notification of the Government of India in the late Ministry of States No. 104-J dated the 24th August 1950 in so far as it relates to the Census Act, 1948 (37 of 1948), the President hereby directs that the powers and functions of the State Government under the Census Act, 1948 (37 of 1948) shall respectively be exercised and discharged by the Administrators of Union territories within their respective Union territories.

[No. 2/1/60-Judl.II.]

K. R. PRABHU, Dy. Secy.

*New Delhi, the 26th April 1960*

**S.O. 1015.**—In exercise of the powers conferred by sub-section (2) of Section 28 of the Bombay Reorganisation Act, 1960 (11 of 1960), the President hereby directs that the principal seat of the High Court of Gujarat shall, as from the 1st day of May, 1960, be at Ahmedabad.

[No. 16/27/60-Judl.I.]

M. GOPAL MENON, Jt. Secy.

#### MINISTRY OF EXTERNAL AFFAIRS

*New Delhi, the 19th April 1960*

**S.O. 1016.**—In pursuance of clause (a) of section 2 of the Diplomatic and Consular Officers (Oaths and Fees) Act, 1948 (41 of 1948), the Central Government hereby authorise Shri K. S. Kurup, Registrar in the Embassy of India, The Hague to perform the duties of a Consular Agent with immediate effect.

[No. F. 6(1)-Cons/60.]

G. P. MATHUR, Under Secy.

#### MINISTRY OF FINANCE (DEFENCE)

*New Delhi, the 19th April 1960*

**S.O. 1017.**—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules regulating the recruitment to the class II Service in the Defence Accounts Department, namely:—

- (1) These rules may be called the Defence Accounts Class II Service Recruitment Rules.
- (2) Recruitment to Class II posts in the Defence Accounts Department shall be in accordance with the provisions of the Schedule annexed hereto.

*Recruitment Rules for the Class II Posts of*

| Name of post | No. of posts | Classification | Scale of pay | Whether selection post or non-selection post | Age limit for direct recruits |
|--------------|--------------|----------------|--------------|--|-------------------------------|
|--------------|--------------|----------------|--------------|--|-------------------------------|

| 1                           | 2   | 3  | 4                        | 5   | 6    |
|-----------------------------|-----|--|--------------------------|---|------|
| Assistant Accounts Officer. | 361 | G.C.S. Class II<br>(Gazetted Non-Ministerial). | 500—30—650<br>EB—30—800. | Seventy-five percent by seniority-cum-fitness and Twenty-five percent by selection.<br><i>Note.</i> —If a sufficient number of suitable Accountants is not available for promotion to selection posts, the balance of such posts may be filled by promotion of Accountants on the basis of seniority-cum-fitness. | N.A. |

*the Defence Accounts Department in Ministry of Finance.*

| educational and other qualifications required for direct recruits | Whether age and educational qualifications prescribed for the direct recruits will apply in the case of promotees | Period of probation, if any | Method of recruitment. Whether by direct recruitment or by promotion or transfer and percentage of vacancies to be filled by various methods | In case of recruitment by promotion/transfer, grades from which promotion to be made | If a DPC exists what is its composition. | Circumstance in which UPSC is to be consulted in making recruitment. |
|---|---|-----------------------------|--|--|--|--|
| 7   | 8   | 9                           | 10   | 11   | 12                                       | 13   |
| N. A.   | N. A.   | Two years.                  | By promotion   | Promotion :<br>Accountants.  | Class II<br>D.P.C.                       | As required under the rules.   |

[No. 0698/Accts/AN.]

P. L. SENGUPTA, Asstt. Financial Adviser

**MINISTRY OF FINANCE***New Delhi, the 30th April 1960*

**S.O. 1018.**—The following draft amendment to rule 4 of the Public Debt Rules, 1946, which it is proposed to make in exercise of the powers conferred by section 28 of the Public Debt Act, 1944 (18 of 1944), is published as required by sub-section (1) of the said section for the information of persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration after the 9th of May, 1960.

Any objection or suggestion which may be received by the undersigned from any person with respect to the said draft before the date specified will be considered by the Central Government.

"In rule 4 of the said Rules, for the expression "under sub-section (2) (a) (iv)", the following shall be substituted, namely:—

"under sub-clause (a) (iv) or sub-clause (b) of clause (2) of section 2".

[No. F. 3(1)-W&M/60.]

SHIV NAUBH SINGH, Jt. Secy.

**(Department of Expenditure)***New Delhi, the 18th April 1960*

**S.O. 1019.**—In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution, and after consultation with the Comptroller and Auditor General in relation to persons serving in the Indian Audit and Accounts Department, the President hereby makes the following further amendment in the Contributory Provident Fund Rules (India), namely:—

In the said Rules in clause (v) of sub-rule (a) of rule 12, after the words "any court of law" the words "or where the subscriber engages a legal practitioner to defend himself in an enquiry", shall be inserted.

[No. F. 23(3)-EV/58-CPF.]

**S.O. 1020.**—In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution, and after consultation with the Comptroller and Auditor General in relation to persons serving in the Indian Audit and Accounts Department, the President hereby makes the following further amendment in the General Provident Fund (Central Services) Rules, namely:—

In the said Rules in sub-clause (v) of clause (a) of sub-rule (1) of rule 15, after the words "any court of law", the words "or where the subscriber engages a legal practitioner to defend himself in an enquiry" shall be inserted.

[No. F. 23(3)-EV/58-GPF.]

D. D. BHATIA, Dy. Secy.

**(Department of Expenditure)***New Delhi, the 22nd April 1960*

**S.O. 1021.**—In pursuance of clause (3) of article 77 of the Constitution and of all other powers enabling him in this behalf, the President is pleased to make the following amendment in the Delegation of Financial Powers Rules, 1958, namely:—

*Amendment No. 45*

In Schedule I to the Rules, under "I—Ministry of Home Affairs" insert the following:—

"9. Director, Secretariat Training School, New Delhi."

(This amendment takes effect from 22nd March, 1960).

[No. F. 19(5)-E.II(A)/60.]

K. P. SIRCAR, Dy. Secy.



## (Department of Expenditure)

*New Delhi, the 22nd April 1960*

**S.O. 1022.**—In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution and after consultation with the Comptroller and Auditor-General of India in relation to persons serving in the Indian Audit and Accounts Department, the President hereby makes the following further amendments in the Civil Service Regulations, namely:—

In the said Regulations,—

1. to article 368, the following proviso shall be added, namely:—

“Provided that in the case of an officer retiring from service on or after the 22nd April, 1960, if he was holding a substantive office on a permanent establishment on the date of his retirement, temporary or officiating service under the Government of India, followed without interruption by confirmation in the same or another post, shall count in full as qualifying service except in respect of—

- (i) periods of temporary or officiating service in non-pensionable establishments;
- (ii) periods of service in work-charged establishment; and
- (iii) periods of service paid from contingencies.”;

2. in articles 370 and 371, the following note shall be inserted at the end, namely:—

“NOTE.—The provisions of this article shall not apply to officers retiring from service on or after the 22nd April, 1960.”;

3. article 408 shall be numbered as clause (1) of that article and after clause (1) as so numbered, the following clause shall be inserted, namely:—

“(2) Notwithstanding anything contained in clause (1), in respect of officers retiring from service on or after the 22nd April, 1960, time passed on leave with allowances counts as service as follows:—

| If the total service of the officer is:        | He counts as service period of leave not exceeding— |
|--|---|
| (i) 15 years and above but less than 30 years. | 1 year  |
| (ii) 30 years and above.                       | 2 years.”;  |

4. to article 468 the following proviso shall be added, namely:—

“Provided that in respect of officers retiring from service on or after the 22nd April, 1960, fractions of a year equal to six months and above shall be treated as a completed six monthly period for the purpose of calculation of any pension admissible to such an officer.”;

5. article 474 shall be numbered as clause (1) of that article and after clause (1) as so numbered, the following clause shall be inserted, namely:—

“(2) Notwithstanding anything contained in clause (1), in respect of officers retiring from service on or after the 22nd April, 1960, the amount of pension shall be regulated as follows:

- (a) after a service of less than ten years, a gratuity not exceeding (except in special cases, and under the orders of the Government of India, upto a maximum of 12 months' emoluments) one-half month's emoluments for each completed six-monthly period of service. If the emoluments of the officer have been reduced during the last three years of service, otherwise than as a penalty, average emoluments may, at the discretion of the authority which has power to sanction the gratuity, be substituted for emoluments;

(b) after a service of not less than ten years a pension not exceeding the following amounts:—

| Completed<br>six monthly<br>periods of<br>qualifying<br>service | Scale of pension                        | Maximum limit of pension |          |                        |
|---|---|--------------------------|----------|------------------------|
|   |   | Rs.<br>2,000 a           | years or | Rs.<br>166 2/3 a month |
| 20  | 10 sixtieths of average emolu-<br>ments |                          |          |                        |
| 21  | 10½ Do.                                 | 2,100                    | Do.      | 175 Do.                |
| 22  | 11 Do.                                  | 2,200                    | Do.      | 183 1/3 Do.            |
| 23  | 11½ Do.                                 | 2,300                    | Do.      | 191 2/3 Do.            |
| 24  | 12 Do.                                  | 2,400                    | Do.      | 200 Do.                |
| 25  | 12½ Do.                                 | 2,500                    | Do.      | 208 1/3 Do.            |
| 26  | 13 Do.                                  | 2,600                    | Do.      | 216 2/3 Do.            |
| 27  | 13½ Do.                                 | 2,700                    | Do.      | 225 Do.                |
| 28  | 14 Do.                                  | 2,800                    | Do.      | 233 1/3 Do.            |
| 29  | 14½ Do.                                 | 2,900                    | Do.      | 241 2/3 Do.            |
| 30  | 15 Do.                                  | 3,000                    | Do.      | 250 Do.                |
| 31  | 15½ Do.                                 | 3,100                    | Do.      | 258 1/3 Do.            |
| 32  | 16 Do.                                  | 3,200                    | Do.      | 266 2/3 Do.            |
| 33  | 16½ Do.                                 | 3,300                    | Do.      | 275 Do.                |
| 34  | 17 Do.                                  | 3,400                    | Do.      | 283 1/3 Do.            |
| 35  | 17½ Do.                                 | 3,500                    | Do.      | 291 2/3 Do.            |
| 36  | 18 Do.                                  | 3,600                    | Do.      | 300 Do.                |
| 37  | 18½ Do.                                 | 3,700                    | Do.      | 308 1/3 Do.            |
| 38  | 19 Do.                                  | 3,800                    | Do.      | 316 2/3 Do.            |
| 39  | 19½ Do.                                 | 3,900                    | Do.      | 325 Do.                |
| 40  | 20 Do.                                  | 4,000                    | Do.      | 333 1/3 Do.            |
| 41  | 20½ Do.                                 | 4,100                    | Do.      | 341 1/3 Do.            |
| 42  | 21 Do.                                  | 4,200                    | Do.      | 350 Do.                |
| 43  | 21½ Do.                                 | 4,300                    | Do.      | 358 1/3 Do.            |
| 44  | 22 Do.                                  | 4,400                    | Do.      | 366 2/3 Do.            |
| 45  | 22½ Do.                                 | 4,500                    | Do.      | 375 Do.                |
| 46  | 23 Do.                                  | 4,600                    | Do.      | 383 1/3 Do.            |
| 47  | 23½ Do.                                 | 4,700                    | Do.      | 391 2/3 Do.            |
| 48  | 24 Do.                                  | 4,800                    | Do.      | 400 Do.                |
| 49  | 24½ Do.                                 | 4,900                    | Do.      | 408 1/3 Do.            |
| 50 and<br>above   | 30 Do.                                  | 5,000                    | Do.      | 416 2/3 Do.            |

6. article 474A shall be numbered as clause (1) of that article and after clause (1) as so numbered, the following clause shall be inserted, namely:—

“(2) Notwithstanding anything contained in clause (1), in respect of officers mentioned in article 349A, retiring from service on or after the 22nd April, 1960, the amount of pension shall be regulated as follows:—

(i) Officers of the Imperial Services of the Forests, Geological Survey, Public Works, Railway and Telegraph Department and any others covered by article 635 who entered service before the 6th day of December, 1932.

(a) For invalid, superannuation, and compensation pensions—Upto 49 completed six-monthly periods of qualifying service—as in article 474(2); thereafter:—

| Completed<br>six monthly<br>periods of<br>qualifying<br>service | Scale of pension                      | Maximum limit of pension |         |                        |
|---|---------------------------------------|--------------------------|---------|------------------------|
|   |                                       | Rs.<br>5,000 a           | year or | Rs.<br>416 2/3 a month |
| 50  | 30 sixtieths of average<br>emoluments |                          |         |                        |
| 51  | 30 Do.                                | 5,100                    | Do.     | 425 Do.                |
| 52  | 30 Do.                                | 5,200                    | Do.     | 433 1/3 Do.            |

Completed  
six monthly  
periods of  
qualifying  
service

Scale of pension

Maximum limit of pension

|               |    |                                 | Rs.   |           | Rs.     |
|---------------|----|---------------------------------|-------|-----------|---------|
|               |    | Sixtieths of average emoluments |       | a year or | a month |
| 53            | 30 |                                 | 5,300 |           | 441 2/3 |
| 54            | 30 | Do.                             | 5,400 | Do.       | 450     |
| 55            | 30 | Do.                             | 5,500 | Do.       | 458 1/3 |
| 56            | 30 | Do.                             | 5,600 | Do.       | 466 2/3 |
| 57            | 30 | Do.                             | 5,700 | Do.       | 475     |
| 58            | 30 | Do.                             | 5,800 | Do.       | 483 1/3 |
| 59            | 30 | Do.                             | 5,900 | Do.       | 491 2/3 |
| 60 and above. | 30 | Do.                             | 6,000 | Do.       | 500     |

(b) For retiring pensions—Upto 39 completed six monthly periods of qualifying service—as in article 474(2); thereafter:—

Completed  
six monthly  
periods of  
qualifying  
service

Scale of pension

Maximum limit of pension

|               |    |                                 | Rs.   |           | Rs.             |
|---------------|----|---------------------------------|-------|-----------|-----------------|
| 40—48         | 30 | sixtieths of average emoluments | 4,000 | a year or | 333 1/3 a month |
| 49            | 30 | Do.                             | 4,500 | Do.       | 375             |
| 50            | 30 | Do.                             | 5,000 | Do.       | 416 2/3         |
| 51            | 30 | Do.                             | 5,100 | Do.       | 425             |
| 52            | 30 | Do.                             | 5,200 | Do.       | 433 1/3         |
| 53            | 30 | Do.                             | 5,300 | Do.       | 441 2/3         |
| 54            | 30 | Do.                             | 5,400 | Do.       | 450             |
| 55            | 30 | Do.                             | 5,500 | Do.       | 458 1/3         |
| 56            | 30 | Do.                             | 5,600 | Do.       | 466 2/3         |
| 57            | 30 | Do.                             | 5,700 | Do.       | 475             |
| 58            | 30 | Do.                             | 5,800 | Do.       | 483 1/3         |
| 59            | 30 | Do.                             | 5,900 | Do.       | 491 2/3         |
| 60 and above. | 30 | Do.                             | 6,000 | Do.       | 500             |

NOTE.—In the case of officers with 40—48 completed six monthly periods of service who entered service before the 22nd April, 1939, the amount of superannuation or compensation pension will be 30/60ths of average emoluments subject to a maximum limit of 4,000 a year if this rate is more advantageous than that admissible under sub-clause (a)—

(ii) Other officers:—

(a) For retiring pensions—Upto 49 six monthly periods of qualifying service—as in article 474(2); thereafter:—

Completed  
six monthly  
periods of  
qualifying  
service

Scale of pension

Maximum limit of pension

|    |        |                                 | Rs.   |           | Rs.             |
|----|--------|---------------------------------|-------|-----------|-----------------|
| 50 | 25     | sixtieths of average emoluments | 5,000 | a year or | 416 2/3 a month |
| 51 | 25 1/2 | Do.                             | 5,100 | Do.       | 425             |
| 52 | 26     | Do.                             | 5,200 | Do.       | 433 1/3         |

| Completed<br>six monthly<br>periods of<br>qualifying<br>service | Scale of pension |                                  | Maximum limit of pension |                           |
|---|------------------|----------------------------------|--------------------------|---------------------------|
|   |                  |                                  | Rs.                      | Rs.                       |
| 53  | 26½              | Sixteenths of average emoluments | 5,300                    | a year or 441 2/3 a month |
| 54  | 27               | Do.                              | 5,400                    | Do. 450 Do.               |
| 55  | 27½              | Do.                              | 5,500                    | Do. 458 1/3 Do.           |
| 56  | 28               | Do.                              | 5,600                    | Do. 466 2/3 Do.           |
| 57  | 28½              | Do.                              | 5,700                    | Do. 475 Do.               |
| 58  | 29               | Do.                              | 5,800                    | Do. 483 1/3 Do.           |
| 59  | 29½              | Do.                              | 5,900                    | Do. 491 2/3 Do.           |
| 60 and<br>above,  | 30               | Do.                              | 6,000                    | Do. 500 Do.               |

(b) For other pensions—Upto 50 completed six monthly periods of qualifying service—as in article 474(2); thereafter:—

| Completed<br>six monthly<br>periods of<br>qualifying<br>service | Scale of pension |                                 | Maximum limit of pension |                       |
|---|------------------|---------------------------------|--------------------------|-----------------------|
|   |                  |                                 |                          |                       |
| 51  | 30               | sixtieths of average emoluments | 5,100                    | a year or 425 a month |
| 52  | 30               | Do.                             | 5,200                    | Do. 433 1/3 Do.       |
| 53  | 30               | Do.                             | 5,300                    | Do. 441 2/3 Do.       |
| 54  | 30               | Do.                             | 5,400                    | Do. 450 Do.           |
| 55  | 30               | Do.                             | 5,500                    | Do. 458 1/3 Do.       |
| 56  | 30               | Do.                             | 5,600                    | Do. 466 2/3 Do.       |
| 57  | 30               | Do.                             | 5,700                    | Do. 475 Do.           |
| 58  | 30               | Do.                             | 5,800                    | Do. 483 1/3 Do.       |
| 59  | 30               | Do.                             | 5,900                    | Do. 491 1/3 Do.       |
| 60 and<br>above   | 30               | Do.                             | 6,000                    | Do. 500 Do.           |

7. after article 486, the following article shall be inserted, namely:—

"486A. In respect of officers retiring from service on or after the 22nd April, 1960, the term 'emoluments' when used in this part of the Regulations means the emoluments which the officer was receiving before his retirement and includes—

- (a) Pay other than that drawn in a tenure post.
- (b) Personal allowance which is granted in lieu of loss of substantive pay in respect of a permanent post other than a tenure post.
- (c) Fees or commission if they are authorised emoluments of an appointment and are in addition to pay. In this case, 'emoluments' means the average earnings for the last six months service.
- (d) One-half of:
  - (i) the difference between the substantive pay and the pay actually drawn in higher officiating appointments;
  - (ii) pay drawn in temporary or officiating appointments;
  - (iii) personal allowance other than that referred to in clause (b) above."

8. to rule 1 under article 487, the following shall be added as Note 2:—

"NOTE 2.—The proviso (b) to rule 1 and Note 1 above are not applicable to officers who retire on or after the 22nd April, 1960."

9. in article 487-B, for the words and figures "31st December, 1962" wherever they occur, the words and figures "21st April, 1960" shall be substituted.

[No. F. 4(2)-Est(Spl)/59-I.]

**S.O. 1023.**—In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution and after consultation with the Comptroller and Auditor-General of India in relation to persons serving in the Indian Audit and Accounts Department, the President hereby makes the following amendments in the Superior Civil Services Rules, namely:—

In the said Rules—

j. Rule 13 shall be numbered as sub-rule (1) of that rule and after sub-rule (1) as so numbered, the following sub-rule shall be inserted, namely:—

“(2) (a): Notwithstanding anything contained in sub-rule (1), in the case of members of the services and holders of the posts specified in Schedule V whose pensions are regulated under the Civil Rules and who retire on or after the 22nd April 1960, the maximum limits for retiring and superannuation pensions excluding amounts earned for special additional pensions shall be as follows:—

[illegible]

(b) For members of the Indian Educational Service (Women's Branch) who retire on or after the 22nd April 1960, the maximum limits for retiring and superannuation pensions shall be as follows:—

[illegible]

2. (a) Rule 14 shall be numbered as sub-rule (1) of that rule and in the schedule below that sub-rule, in column 3, for the expressions "13(a)" and "13(b)", the expressions "13(1)(a)" and "13(1)(b)" shall respectively be substituted.

(b) After sub-rule (1) as so numbered, the following sub-rule shall be inserted, namely:—

(2) Notwithstanding anything contained in sub-rule (1), the rates of compensation and invalid gratuity and of invalid or compensation pension admissible to officers to whom Rule 13(2) applies, shall be as follows:—

| Completed six monthly periods of qualifying service  | Rate of gratuity or pension                                 | Subject to a maximum in respect of officers to whom |                               |
|--|---|---|-------------------------------|
|  |   | 13(2)(a)<br>refers of<br>Rs.                        | 13 (2)(b)<br>refers of<br>Rs. |
| 1 to 13 Gratuity of $\frac{1}{4}$ month's pay for each completed six-monthly period of qualifying service. |   |   |                               |
| 14 Pension of $\frac{7}{60}$ -sixtieths of average emoluments  |   | 2,000   | 1,750                         |
| 15 Pension of $\frac{7\frac{1}{2}}{60}$ -sixtieths of average emoluments                                   |   | 2,175   | 1,925                         |
| 16 Pension of $\frac{8}{60}$ -sixtieths of average emoluments  |   | 2,350   | 2,100                         |
| 17 Pension of $\frac{8\frac{1}{2}}{60}$ -sixtieths of average emoluments                                   |   | 2,525   | 2,275                         |
| 18 Pension of $\frac{9}{60}$ -sixtieths of average emoluments  |   | 2,700   | 2,450                         |
| 19 Pension of $\frac{9\frac{1}{2}}{60}$ -sixtieths of average emoluments                                   |   | 2,850   | 2,600                         |
| 20 Pension of $\frac{10}{60}$ -sixtieths of average emoluments   |   | 3,000   | 2,750                         |
| 21 Pension of $\frac{10\frac{1}{2}}{60}$ -sixtieths of average emoluments                                  |   | 3,100   | 2,850                         |
| 22 Pension of $\frac{11}{60}$ -sixtieths of average emoluments   |   | 3,200   | 2,950                         |
| 23 Pension of $\frac{11\frac{1}{2}}{60}$ -sixtieths of average emoluments                                  |   | 3,300   | 3,050                         |
| 24 Pension of $\frac{12}{60}$ -sixtieths of average emoluments   |   | 3,400   | 3,150                         |
| 25 Pension of $\frac{12\frac{1}{2}}{60}$ -sixtieths of average emoluments                                  |   | 3,500   | 3,250                         |
| 26 Pension of $\frac{13}{60}$ -sixtieths of average emoluments   |   | 3,600   | 3,350                         |
| 27 Pension of $\frac{13\frac{1}{2}}{60}$ -sixtieths of average emoluments                                  |   | 3,700   | 3,450                         |
| 28 Pension of $\frac{14}{60}$ -sixtieths of average emoluments   |   | 3,800   | 3,550                         |
| 29 Pension of $\frac{14\frac{1}{2}}{60}$ -sixtieths of average emoluments                                  |   | 3,900   | 3,650                         |
| 30 Pension of $\frac{15}{60}$ -sixtieths of average emoluments   |   | 4,000   | 3,750                         |
| 31 Pension of $\frac{15\frac{1}{2}}{60}$ -sixtieths of average emoluments                                  |   | 4,100   | 3,850                         |
| 32 Pension of $\frac{16}{60}$ -sixtieths of average emoluments   |   | 4,200   | 3,950                         |
| 33 Pension of $\frac{16\frac{1}{2}}{60}$ -sixtieths of average emoluments                                  |   | 4,300   | 4,050                         |
| 34 Pension of $\frac{17}{60}$ -sixtieths of average emoluments   |   | 4,400   | 4,150                         |
| 35 Pension of $\frac{17\frac{1}{2}}{60}$ -sixtieths of average emoluments                                  |   | 4,500   | 4,250                         |
| 36 Pension of $\frac{18}{60}$ -sixtieths of average emoluments   |   | 4,600   | 4,350                         |
| 37 Pension of $\frac{18\frac{1}{2}}{60}$ -sixtieths of average emoluments                                  |   | 4,700   | 4,450                         |
| 38 Pension of $\frac{19}{60}$ -sixtieths of average emoluments   |   | 4,800   | 4,550                         |
| 39 Pension of $\frac{19\frac{1}{2}}{60}$ -sixtieths of average emoluments                                  |   | 4,900   | 4,650                         |
| 40 Pension of $\frac{20}{60}$ -sixtieths of average emoluments   |   | 5,000   | 4,750                         |
| 41 Pension of $\frac{20\frac{1}{2}}{60}$ -sixtieths of average emoluments                                  |   | 5,100   | 4,850                         |
| 42 Pension of $\frac{21}{60}$ -sixtieths of average emoluments   |   | 5,200   | 4,950                         |
| 43 Pension of $\frac{21\frac{1}{2}}{60}$ -sixtieths of average emoluments                                  |   | 5,300   | 5,050                         |
| 44 Pension of $\frac{22}{60}$ -sixtieths of average emoluments   |   | 5,400   | 5,150                         |
| 45 Pension of $\frac{22\frac{1}{2}}{60}$ -sixtieths of average emoluments                                  |   | 5,500   | 5,250                         |
| 46 Pension of $\frac{23}{60}$ -sixtieths of average emoluments   |   | 5,600   | 5,350                         |
| 47 Pension of $\frac{23\frac{1}{2}}{60}$ -sixtieths of average emoluments                                  |   | 5,700   | 5,450                         |
| 48 Pension of $\frac{24}{60}$ -sixtieths of average emoluments   |   | 5,800   | 5,550                         |
| 49 Pension of $\frac{24\frac{1}{2}}{60}$ -sixtieths of average emoluments                                  |   | 5,900   | 5,650                         |
| 50   |   | 6,000   |                               |
| 51   |   | 6,100   |                               |
| 52   |   | 6,200   |                               |
| 53   |   | 6,300   |                               |
| 54   |   | 6,400   |                               |
| 55   |   | 6,500   |                               |
| 56   | Pension of $\frac{30}{60}$ -sixtieths of average emoluments | 6,600   | 5,750                         |
| 57   |   | 6,700   |                               |
| 58   |   | 6,800   |                               |
| 59   |   | 6,900   |                               |
| 60   |   | 7,000   |                               |
| and above  |   |   |                               |

## (Department of Economic Affairs)

New Delhi, the 22nd April 1960

S. O. 1024—Statement of the Affairs of the Reserve Bank of India, as on the 15th April 1960

## BANKING DEPARTMENT

| Liabilities  | Rs.           | Assets   | Rs.           |
|--|---------------|--|---------------|
| Capital paid up . . . . .  | 5,00,00,000   | Notes . . . . .                                | 11,77,53,000  |
| Reserve Fund . . . . .   | 80,00,00,000  | Rupee Coin . . . . .                           | 1,50,000      |
| National Agricultural Credit (Long-term Operations) Fund . . . . . | 30,00,00,000  | Subsidiary Coin . . . . .                      | 6,57,000      |
| National Agricultural Credit (Stabilisation) Fund . . . . .        | 4,00,00,000   | Bills Purchased and Discounted :—              |               |
| Deposits :—  |               | (a) Internal . . . . .                         | ..            |
| (a) Government   |               | (b) External . . . . .                         | ..            |
| (1) Central Government . . . . .                                   | 75,07,83,000  | (c) Government Treasury Bills . . . . .        | 67,23,52,000  |
| (2) Other Governments . . . . .                                    | 6,01,05,000   | Balances held abroad* . . . . .                | 20,83,02,000  |
| (b) Banks . . . . .  | 92,35,21,000  | ** Loans and Advances to Governments . . . . . | 44,31,62,000  |
| (c) Others . . . . .   | 98,66,04,000  | Other Loans and Advances† . . . . .            | 114,98,99,000 |
| Bills Payable . . . . .  | 39,64,95,000  | Investments . . . . .                          | 203,39,37,000 |
| Other Liabilities . . . . .  | 46,72,88,000  | Other Assets . . . . .                         | 14,85,84,000  |
| TOTAL . . . . .  | 477,47,95,000 | TOTAL . . . . .                                | 477,47,96,000 |

\*Includes Cash &amp; Short-term Securities.

\*\* Includes Temporary Overdrafts to State Governments.

†The item 'Other Loans and Advances' includes Rs. 13,60,70,000/- advanced to scheduled banks against usance bills under Section 17 (4)(c) of the Reserve Bank of India Act.

Dated the 20th day of April, 1960.

An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 15th day of April 1960.

ISSUE DEPARTMENT

| Liabilities                                  | Rs.            | Rs.            | Assets  | Rs.           | Rs.            |
|--|----------------|----------------|---|---------------|----------------|
| Notes held in the Banking Department . . . . | 11,77,53,000   |                | A. Gold Coin and Bullion:—                                    |               |                |
| Notes in circulation . . . .                 | 1902,24,34,000 |                | (a) Held in India . . . .                                     | 117,76,03,000 |                |
| Total Notes issued . . . .                   |                | 1914,01,87,000 | (b) Held outside India . . . .                                |               |                |
|  |                |                | Foreign Securities . . . .                                    | 163,00,89,000 |                |
|  |                |                | TOTAL OF A . . . .  |               | 280,76,92,000  |
|  |                |                | B. Rupee Coin . . . .   |               | 126,50,41,000  |
|  |                |                | Government of India Rupee Securities . . . .                  |               | 1506,74,54,000 |
|  |                |                | Internal Bills of Exchange and other commercial paper . . . . |               |                |
| TOTAL LIABILITIES . . . .                    |                | 1914,01,87,000 | TOTAL ASSETS . . . .  |               | 1914,01,87,000 |

Dated the 20th day of April, 1960.

H. V R. IENGAR,  
Governor.

[No. 3(2)-BC/60.]  
A. BAKSI, Jt. Secy.



**(Department of Economic Affairs)***New Delhi, the 22nd April 1960*

**S.O. 1025.**—In pursuance of the provisions of rule 3 of the Insurance Claims Board Rules, 1952, the Central Government hereby nominates Shri B. N. Lokur, Secretary, Department of Legal Affairs, Ministry of Law as Chairman of the Insurance Claims Board *vice* Shri K. Y. Bhandarkar and makes the following amendment in the notification of the Government of India in the Ministry of Rehabilitation No. S.R.O. 312, dated the 31st January, 1953, namely:—

In the said notification for the existing entry against Serial No. 1, the following entry shall be substituted, namely:—

"1. Shri B. N. Lokur, Secretary, Department of Legal Affairs, Ministry of Law (Chairman)."

[No. 60(15)-INS(I)/59.]

P. GANGULEE, Dy. Secy.

**(Department of Economic Affairs)****ERRATUM**

In the Ministry of Finance (Department of Economic Affairs) Notification No. F. 3(2)-BC/60, dated the 19th March 1960 (the statement of the Affairs of the Reserve Bank of India as on 11th March 1960), published as S.O. 719 in the Gazette of India, Part II, Section 3(ii), dated the 26th March 1960, the following correction is to be made:—

In the 'Liabilities' column under 'Issue Department' appearing on p. 1065, against 'Notes held in the Banking Department', *read* 8,66,81,000 *for* 4,66,81,000.

**CENTRAL BOARD OF REVENUE****INCOME-TAX***New Delhi, the 21st April 1960*

**S.O. 1026.**—In exercise of the powers conferred by sub-section (4) of Section 5 of the Indian Income-tax Act, 1922 (11 of 1922), the Central Board of Revenue hereby makes the following amendments in the Schedule appended to its notification S.O. 660 No. 35-Income-tax, dated the 22nd April 1958, namely:—

In the said Schedule under the Sub-head "II-Assam, Manipur and Tripura" for the existing entries in columns 1 and 2 the following entries shall be substituted, namely:—

**Gauhati Range:**

1. Shillong Circle.
2. Salary Circle, Shillong.
3. Gauhati Circle.
4. Tezpur Circle.
5. Nowgong Circle.
6. Silchar Circle.
7. Tripura Circle.
8. Dhubri Circle.
9. S. I. B. Circle, Shillong.

**Dibrugarh Range:**

1. Dibrugarh Circle.
2. Income-tax *cum* Estate Duty Circle, Dibrugarh.
3. Tinsukia Circle.
4. Digboi Circle.
5. Jorhat Circle.
6. Sibsagar Circle.

*Explanatory Note*

NOTE.—The amendments have become necessary on account of the reorganisation of the Income-tax Circles in the charge of the Commissioner of Income-tax, Assam, Manipur and Tripura.

(The above note does not form a part of the notification but is intended to be merely clarificatory).

[No. 38 (F. No. 50/2/60-IT).]

**CORRIGENDUM****INCOME-TAX**

*New Delhi, the 20th April 1960*

S.O. 1027.—In the schedule to the Board's Notification No. 14 (F. No. 55/143/59-IT), dated 20th February 1960 [published on page 826 of Part II, Section 3(ii) of the Gazette of India, dated 27th February 1960 under S.O. 470] under sub-section (6) of Section 5 of the Indian Income-tax Act, 1922 in column 3:

*For*

'I.T.O., Salary Branch II Bombay.'

*Read*

'Second I.T.O., Salary Branch II, Bombay'.

[No. 37 (F. No. 55/143/59-IT).]

D. V. JUNNARKAR, Under Secy.

**CENTRAL EXCISE COLLECTORATE, BARODA****CENTRAL EXCISE—MANUFACTURED PRODUCTS**

*Baroda, the 19th March 1960*

S.O. 1028.—In exercise of the powers conferred on me under Rule 5 of the Central Excise Rules, 1944, I empower the officers of Central Excise Collectorate, Baroda, specified in column 1 of the sub-joined table, to exercise, within their respective jurisdictions, the power of "Collector", under the rule enumerated in column 2 below:—

**TABLE**

| Rank of Officer      | Central<br>Excise<br>Rule | Limitations, if any  |
|----------------------|---------------------------|--|
| I                    | 2                         | 3  |
| Superintendent . . . | 96-0                      | Under rule 96-0(4), the Superintendent shall exercise the powers only in respect of cases where the delay in presenting the A.S.P. is not more than 15 days over the statutory period. Where the delay is more than 15 days, the Superintendent should report full facts of the case to the Assistant Collector, who after considering the merits of the case, may either direct the Superintendent to condone the delay or may order withholding of permission. |

| 1              | 2    | 3  |
|----------------|------|--|
| Superintendent | 96—Q | Under the rule 96-o(2), the power of condonation of delay in filing A.R.7 and/or making weekly deposits shall be exercised by the Superintendent, provided the delay is not more than 5 days. If the delay is more than 5 days, the case should be reported to the Assistant Collector and action should be initiated under rule 96-S. |

2. The Collectorate, Central Excise (M.P.) Notification No. 3/59, dated the 23rd April, 1959 is hereby rescinded.

[No. 2/80.]

R. PRASAD, Collector.

### OFFICE OF THE COLLECTOR OF CENTRAL EXCISE, BANGALORE

#### CENTRAL EXCISES

Bangalore, the 13th April 1960

**S.O. 1029.**—In pursuance of Rule 5 of the Central Excise Rules 1944. I hereby empower the Superintendents of Central Excise in the Mysore Central Excise Collectorate to exercise within their respective jurisdiction the powers of 'Collector' under Rule 92-A of the Central Excise Rules.

Issued from file C. No. IV/16/125/60BL.)

[No. 5/60.]

A. R. SHANMUGAM, Collector.

### OFFICE OF THE ASSTT. COLLECTOR OF CENTRAL EXCISE & LAND CUSTOMS, GOA FRONTIER DIVISION, BELGAUM

#### NOTICE

Belgaum, the 19th April 1960

**S.O. 1030.**—Whereas it appears that the goods and live stock as mentioned in the undermentioned table seized in the vicinity of Indo-Goa border, were about to be exported by land from India to Goa in contravention of the Rules and Notifications as mentioned against each.

| Serial No. | Date & Place of seizure                              | By whom detected                  | Description of goods            | Quantity         | Rules contravened  |
|------------|--|-----------------------------------|---------------------------------|------------------|--|
| 73/60      | 5-3-1960 at 'Badan' in Man jungle.                   | Sub-Inspr. of C.E. Simachi.       | 1. Regal Sarees of 5 yrd. each. | 31 Nos.          | Sec. 5 (1) of the Land Customs Act 1924 and Government of India, Ministry of Commerce and Industry Export Control Order No. 1/58 of 1-5-1958 issued under Sec. 3 and 4-A of the Imports and Export Control Act 1947. |
| 74/60      | 29-2-1960 Lakhamshet Wada.                           | Sub-Inspr. of C.E. Parwad.        | 1. He buffalos<br>2. Bullocks.  | 4 Nos.<br>2 Nos. | Do.  |
| 75/60      | 18-2-1960 Jurisdiction of Ch. No. 32 in Banda Range. | Jamadar of C. Ex. Chowkey No. 31. | She buffalos                    | 2 Nos.           | Do.  |

Now, therefore, any person claiming the goods is hereby called upon to show cause to the Asstt. Collector of C. Ex., Goa Frontier Dn., Belgaum why the above mentioned goods and live stock should not be confiscated under Sec. 5(3) of the Land Customs Act, 1924 and Sec. 167(8) of the Sea Customs Act, 1878 and Section 3(2) of the Imports and Exports Control Act 1947 and why a penalty should not be imposed on him under Sec. 7(1)(c) of the Land Customs Act, 1924, read with Sec. 167(8) of the Sea Customs Act, 1878.

If such an owner fails to turn up to claim the above-mentioned unclaimed goods or to show cause against the action proposed to be taken within 30 days from the date of publication of this notice in the Government of India Gazette, the goods in question will be treated as unclaimed and the case will be decided accordingly.

[No. VIII(b)10-73, 74, 75/60.]

E. R. SRIKANTIA, Asstt. Collector.

## MINISTRY OF COMMERCE AND INDUSTRY

*New Delhi, the 20th April 1960*

**S.O. 1031.**—In exercise of the powers conferred by sub-section (1) of section 3 of the Khadi and Village Industries Commission Act, 1956 (61 of 1956), and in partial modification of the notification of the Government of India in the Ministry of Commerce and Industry No. S.O. 71, dated the 5th January, 1960, the Central Government hereby declares the following industry to be a village industry to which the said Act applies, namely:—

“Manufacture and use of manure and methane gas from cowdung and other waste products (such as flesh of dead animals, night soil, etc.).”

[No. 4(5)/58-KVE.]

H. K. BANSAL, Under Secy.

## COFFEE CONTROL

*New Delhi, the 21st April 1960*

**S.O. 1032.**—Shri M. P. Appu Menon, Secretary, Coffee Board, Bangalore, was granted earned leave for four days from 21st March to 24th March, 1960, with permission to prefix the holiday on 20th March, 1960 and suffix the holidays on 25th to 29th March, 1960.

Shri Menon resumed duty as Secretary, Coffee Board, Bangalore, on the forenoon of 30th March, 1960.

[No. 9(15)Plant(B)/60.]

A. J. KIDWAI, Dy. Secy.

## ORDERS

*New Delhi, the 22nd April 1960*

**S.O. 1033/IDRA/6/17.**—In exercise of the powers conferred by section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951), the Central Government hereby appoints the Deputy Inspector General of Forests as a member of the Development Council established by the Order of the Government of India in the Ministry of Commerce and Industry No S.O. 2830, dated the 17th December, 1959, for the scheduled industries engaged in the manufacture or production of paper, pulp and allied industries, and directs that the following amendment shall be made in the said Order, namely:—

In paragraph 1 of the said Order after entry No. 8 relating to Shri B. N. Bhargava, the following entries shall be inserted:—

“8A. Deputy Inspector General of Forests.  
Ministry of Food and Agriculture, (Department of Agriculture), Krishi Bhavan,  
NEW DELHI.

“technical “Member”  
knowledge”.

[No. 4(72)IA(II)(G)/59.]

*New Delhi, the 25th April 1960*

**S.O. 1034/IDRA/6/18.**—In exercise of the powers conferred by section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951), the Central Government hereby appoints Shri A. C. Nanda to be a member of the Development Council established by the Order of the Government of India in the Ministry of Commerce and Industry No. S.O. 129, dated the 12th January 1960, for the scheduled industries engaged in the manufacture or production of Leather, leather goods and pickers, and directs that the following amendments shall be made in the said Order, namely:—

In paragraph 1 of the said Order, after entry No. 20A, relating to Shri B. B. Bhalla, the following entries shall be inserted, namely:—

"20B. Shri A. C. Nanda, General Secretary, Delhi State Committee of AITUC, Gaushala Gate, Double Phatak Road, Kishengunj, Delhi."

"persons employed in industrial undertakings" "Member"

[No. 4(2)IA(II) (G)/60.]

### CORRIGENDUM

*New Delhi, the 22nd April 1960*

**S.O. 1035.**—In the Ministry of Commerce and Industry Order No. S.O. 2830, dated the 17th December, 1959 published in the Gazette of India, Part II, Section 3, sub-section (ii) dated the 26th December, 1959:—

For "11. Dr. H. S. Agarwal, Assistant Chief Chemist, Bengal Paper Mills Co. Ltd., Raniganj, W. Bengal."

"technical knowledge" "Member"

Read "11. Dr. J. C. Aggarwal, Mill Manager, The Bengal Paper Mill Co. Ltd., Raniganj, W. Bengal."

"technical knowledge" "Member"

[No. 4(72)IA(II) (G)/59.]

NAR NARAIN SINGH, Under Secy.

### ORDER

#### EXPORT TRADE CONTROL

*New Delhi, the 30th April 1960*

**S.O. 1036.**—In exercise of the powers conferred by sections 3 and 4A of the Imports and Exports (Control) Act, 1947 (18 of 1947), as in force in India and as applied to the State of Pondicherry, the Central Government hereby makes the following further amendment in the Exports (Control) Order, 1958 namely:—

In Schedule I to the said Order—

Under the heading "C. ARTICLES WHOLLY OR MAINLY MANUFACTURED", the following item shall be omitted:—

"23. Belts and belting:—

(a) Flat belting for machinery, the following types:—

(iii) Leather,

(iv) Rubber,

(c) V-Belts."

[No. Export(1)/AM(30).]

T. S. KUNCHITHAPATHAM, Under Secy.

## (Indian Standards Institution)

New Delhi, the 18th April 1960

**S.O. 1037**—In pursuance of sub-regulations (2) and (3) of regulation 3 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed, have been established during the period 1st April to 15th April 1960.

## THE SCHEDULE

| Sl. No. | No. and title of the Indian Standard established  | No. and title of the Indian Standard or Standards, if any, superseded by the new Indian Standard | Brief Particulars  |
|---------|---|--|--|
| (1)     | (2)   | (3)  | (4)  |
| 1.      | IS : 268-1959 Specification for Leclanche type Sack Cells (Revised.)                              | IS: 268-1931 Specification for Leclanche Type Sack Cells.  | This standard lays down the dimensions, tests, and performance requirements of two sizes of leclanche type sack cells having a nominal open-circuit voltage of 1.5 V. (Price Rs. 2.00)   |
| 2.      | IS : 919-1959 Recommendations for Limits and Fits for Engineering.                                | ..   | This standard makes recommendations relating to limits of size of parts or components and to fits constituted by their assembly (Price Rs. 10.00).   |
| 3.      | IS : 946-1959 Specification for 3 200-1/min (or 700-Gal/min) Motor Fire Engine.                   | ..   | This standard lays down the requirements regarding material, design and construction, workmanship and finish, and acceptance tests of 3 200-1/min (or 700-gal/min) motor fire engine (Price Rs. 3.00).   |
| 4.      | IS : 948-1959 Specification for Water Tender, Type A, for Fire Brigade Use.                       | ..   | This standard lays down requirements regarding material, design and construction, workmanship and finish, accessories and equipment, and acceptance tests of water tender, type A, for fire brigade use (Price Rs. 3.00).  |
| 5.      | IS : 949-1959 Specification for Emergency Tender for Fire Brigade Use.                            | ..   | This standard lays down requirements regarding material, design and construction, workmanship and finish, accessories and equipment, and acceptance tests of emergency tender for fire brigade use (Price Rs. 3.50).   |
| 6.      | IS : 996-1959 Specification for Small AC and Universal Electric Motors with Class 'A' Insulation. | ..   | This standard applies to small single-phase motors of the capacitor, split-phase, repulsion-induction and universal types and small three-phase induction motors of the squirrel cage rotor type, having a rated output of 0.75 KW per 1000 rpm (synchronous) or less and having windings with class 'A' insulation. (Price Rs. 4.00). |

| (1) | (2)  | (3) | (4)   |
|-----|--|-----|---|
| 7.  | IS : 1168-1959 Specification for Cube Sugar.   | ..  | This standard prescribes the requirements and the methods of test for cube sugar manufactured from refined sugar or from vacuum pan sugar (plantation white) (Price Rs. 3.50).  |
| 8.  | IS : 1373-1959 Specification for Tinned Mild Steel Milk Cans.  | ..  | This standard prescribes the requirements for tinned mild steel milk cans of 10, 20, 30, 40 and 50 litre capacity, used for collection and bulk distribution of fluid milk (Price Rs. 2.00).  |
| 9.  | IS : 1392-1959 Specification for Glass Milk Bottles.   | ..  | This standard prescribes the requirements of dimensions, quality and performance for 1-litre, 500-ml and 250-ml glass bottles for liquid milk other than sterilized milk (Price Rs. 2.00).  |
| 10. | IS : 1404-1959 Specification for Anti-Corrosive Paint, Brushing, for Ships' Bottoms and Hulls, Red, Chocolate or Black, As required. | ..  | This standard prescribed the requirements and the methods of test for the material commercially known as anti-corrosive paint for ships' bottoms and hulls. The material is normally used as a primer over ships' steel bottoms and hulls and overpainted with a compatible anti-fouling finishing paint (Price Rs. 2.00).  |
| 11. | IS : 1415-1959 Specification for Electric Hand-Lamps.  | ..  | This standard lays down the minimum requirements for portable hand-lamps for use on supply voltages not exceeding 250 volts and a current of 2 amperes, AC or DC, and suitable for industrial use (Price Rs. 1.50).   |
| 12. | IS : 1416-1959 Specification for Extra Low Voltage Transformers.   | ..  | This standard applies to single-phase transformers rated at less than one kilovolt-ampere having separate input and output windings for connections to extra low voltage circuits. The input voltage to the transformer shall not exceed 250 volts and output voltage shall not exceed 25 volts. It covers transformers used for both outdoor and indoor purposes (Price Rs. 2.50). |
| 13. | IS : 1425-1959 Specification for Rayon Crepe.  | ..  | This specification prescribes constructional details and other particulars of finished and unfinished (a) rayon crepe, undyed; (b) rayon crepe, dyed; and (c) rayon crepe, printed; produced with 14 different loom settings (Price Rs. 2.50).  |
| 14. | IS : 1431-1959 Specification for Cotton Mosquito Netting, Round Mesh, Dyed.  | ..  | This standard prescribes constructional details and other particulars of cotton mosquito netting, round mesh, dyed. (Price Rs. 1.50).   |

| (1) | (2)   | (3) | (4)  |
|-----|---|-----|--|
| 15. | IS : 1443-1959 Code of Practice for Laying and Finishing of Cement Concrete Flooring Tiles. | ..  | <p>This standard covers the laying and finishing of cement concrete flooring tiles in floors, walls, staircases, pavings, etc.</p> <p>It includes the requirements for materials used in the fixing, grouting and polishing of cement concrete flooring tiles and in the maintenance of tiled flooring (Price Rs. 2.50).</p> |
| 16. | IS : 1452-1959 Specification for Rayon Taffeta.   | ..  | <p>This specification prescribes constructional details and other particulars of unfurnished and finished (a) rayon taffeta, undyed ; (b) rayon taffeta, dyed ; and (c) rayon taffeta, printed ; produced with 18 different loom-settings (Price Rs. 2.50).</p>  |
| 17. | IS : 1463-1959 Specification for Kaolin for Cosmetic Industry.                              | ..  | <p>This standard prescribes the requirements and methods of sampling and test for kaolin (china clay) for use in cosmetic industry (Price Rs. 2.50).</p>   |
| 18. | IS : 1483-1959 Specification for White Bread.   | ..  | <p>This standard prescribes the requirements and the methods of test for white bread. It does not include brown bread, fancy bread, fruit bread rolls and chemically aerated bread (Price Rs. 2.00).</p>   |
| 19. | IS 1491-1959 Specification for Metric Scales for Architectural Purposes.                    | ..  | <p>This standard covers the requirements for metric scales, made of varnished cardboard or of plastic material, used by the architects, engineers, and surveyors (Price Rs. 1.50).</p>   |
| 20. | IS : 1492-1959 Specification for Metric Surveying Chains.                                   | ..  | <p>This standard covers the requirement for link type surveying chains of 20 m and 30m lengths, used in land measurement (Price Rs. 1.50).</p>   |
| 21. | IS : 1497-1959 Layout for Regulated Market Yards for Agricultural Commodities.              | ..  | <p>This standard covers the layout and the requirements for regulated market yards for agricultural commodities (Price Rs. 4.50).</p>  |
| 22. | IS : 1499-1959 Method for Charpy Impact Test (U-Notch) For Steel.                           | ..  | <p>This standard prescribes the method of conducting charpy impact test (U-notch) for steel. (Price Rs. 1.50).</p>   |

Copies of these Indian Standards are available for sale with the Indian Standards Institution, "Manak Bhavan", 9 Mathura Road, New Delhi-1 and also at its Branch Offices at (i) 232 Dr. Dadabhoy Naoroji Road, Bombay-1, (ii) P-11, Mission Row Extension, Calcutta-1, and (iii) 2/21 First Line Beach, Madras-1.



New Delhi, the 20th April 1960

**S. O. 1038.**—In exercise of the powers conferred by sub-regulations (2) and (3) of regulation 3 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies the issue of errata slips particulars of which are given in column (4) of the Schedule hereto annexed, in respect of the Indian Standards specified in column (2) of the said Schedule.

THE SCHEDULE

| Sl. No. | No. and title of Indian Standard  | No. and date of Gazette Notification in which establishment of Indian Standard was notified | Particulars of Errata Slip Issued   |
|---------|---|---|---|
| (1)     | (2)   | (3)   | (4)   |
| 1       | IS : 456-1957 Code of Practice for Plain and Reinforced Concrete for General Building Construction ( <i>Revised</i> ).                            | S.R.O. 2823 dated 7 September 1957.   | In Clause 6.22 1.5 (a), line 5 at page 40, please read ' $P = Ac + Acc_r + fmAm$ ' for ' $P = 0.225 Ac + Acc_r + fmAm$ '.   |
| 2       | IS : 541-1954 Specification for Stationary Accumulators, Lead-Acid Type ( <i>Tentative</i> ).   | S.R.O. 658 dated 26 March 1955.   | In sub-clause 8.6.1, line 6 at page 9, please read ' $SG_{27} = SG_t + 0.0007(t-27)$ ' for ' $SG_{27} = SG_t - 0.0007(t-27)$ '.   |
| 3       | IS : 778-1957 Specification for Gunmetal Gate, Globe and Check Valves for Water, Steam and Oil Only (Not Intended for Use in Petroleum Industry). | S. O. 1699, dated 23 August 1958.   | In table IV under the column 'FLANGE THICKNESS' at page 7 please read the following for the existing valves in.   |
| 4       | IS : 841-1957 Specification for Hand Hammers.   | S. O. 1349 dated 12 July 1958   | The existing Fig. 10 of Keying Hammer at page 13 has been replaced by a new one.  |
| 5       | IS : 1310-1958 Specification for Endrin Emulsifiable Concentrates.  | S.O. 2834 dated 26 December 1959  | In the Title on the cover page please read ' <i>Indian Standard</i> ' for ' <i>Indian Standards</i> '<br>In Clause A-2.1 (line 3) at page 4, please read '400 to 800 mm' for '40 to 80 cm'.<br>In Fig 1 at page 4, please introduce the following words above the caption of Fig. 1 :<br>'All dimensions in millimetres'<br>Under the caption of Table, II at page 10, please read '[Clause C-2.1.4 (f)]' for '[Clause C-2.1.4(b)]' |

Copies of these errata slips are available, free of cost, with the Indian Standards Institution, "Manak Bhavan", 9 Mathura Road, New Delhi -1 and also at its Branch Offices at (i) General Assurance Building, 232, Dr. Dadabhoy Naoroji Road, Fort, Bombay-1, (ii) P-11 Mission Row Extension, Calcutta-1, and (iii) 2/21 First line Beach, Madras-1.

[No. MD/13 : 6.]

C. N. MODAWAL,  
Deputy Director (Marks).

**MINISTRY OF FOOD AND AGRICULTURE****(Department of Agriculture)****(Indian Council of Agricultural Research)***New Delhi, the 14th April 1960*

**S.O. 1039.**—Under Section 4 of the Indian Cotton Cess Act, 1923 (14 of 1923), the Central Government are pleased to appoint the following persons to be members of the Indian Central Cotton Committee, Bombay, for the period mentioned against each:—

| Serial No. | Name   | Part of Section 4 | Period upto |
|------------|--|-------------------|-------------|
| 1.         | Shri P.D. Gadkari, Economic Botanist, Madhya Pradesh, Indore<br>Vice Dr. R. S. Bhatt       | 4(ii)             | 31-3-61     |
| 2.         | Dr. Arjan Singh, Director of Agriculture, Punjab, Chandigarh.                              | 4(ii)             | 31-3-63     |
| 3.         | Shri J. K. Srivastava, Managing Director, New Victoria Mills<br>Co. Ltd., Gwaltoni, Kanpur | 4(iv)             | 31-3-63     |
| 4.         | Shri Kundanlal Ahuja, Abohar (Distt. Ferozpur)   | 4(v)              | 31-3-63     |
| 5.         | S. Harcharan Singh, Gobindgarh (Distt. Ferozpur)   | 4(viii)           | 31-3-63     |

[No. 1-18/59-Com.II/IV.]

**(Department of Agriculture)****(ICAR)***New Delhi, the 25th April 1960*

**S.O. 1040.**—In pursuance of the provisions of Sub-Section (i) of Section 4 of the Indian Oilseeds Act, 1946 (9 of 1946), the Central Government hereby appoint Dr. H. Trivedi, Principal, Harcourt Butler Technological Institute, Kanpur, to be a member of the Indian Central Oilseeds Committee to represent the Oil Technologists' Association, Kanpur for a period of three years with effect from the 1st April, 1960.

[No. 8-26/60-Com.II.]

N. L. GUPTA, Under Secy.

**MINISTRY OF HEALTH***New Delhi, the 23rd April 1960*

**S.O. 1041.**—In exercise of the powers conferred by sub-rule (2) of rule 9 of the Indian Aircraft (Public Health) Rules, 1954, the Government of India hereby approves certificates of disinsectization issued by the "Government of Aden".

[No. F. 14-64/59-IH.]

T. V. ANANTANARAYANAN, Under Secy.

*New Delhi, the 26th April 1960*

**S.O. 1042.**—In exercise of the powers conferred by sub-section (2) of section 1 of the Pharmacy (Amendment) Act, 1959 (24 of 1959), the Central Government hereby appoints the 1st May, 1960 as the date on which the provisions of the said Act other than section 19 shall come into force.

[No. F. 7-58/59-D.]

M. K. KUTTY, Dy. Secy.

(ic) "Bank" means a company which accepts, for the purpose of lending or investment, deposits of money from the public repayable on demand or otherwise, and withdrawable by cheque, draft, order or otherwise;

(id) "Fund" means the fund established under rule 15A;

(ic) "Government security" means a Government security as defined in the Public Act, 1944;"

2. for rule 5, the following rule shall be substituted, namely:—

"5. *Cover notes*.—(1) Every policy in the form of a cover note issued by an insurer shall be in, or to the effect of, Form B set out in the Schedule to these rules.

(2) A cover note referred to in sub-rule (1) shall be valid for a period of fifteen days from the date of its issue. If for any reasons, the insurer is not able to issue a policy during that period the validity of the cover note shall be extended for a further period of fifteen days at a time but in no case the total period of validity of a cover note shall exceed two months";

3. for the existing heading of rule 8, the following heading shall be substituted, namely:—

'Certificates or cover notes lost, destroyed or mutilated',

4. in rule 12,—

(a) in the heading, for the word, figures and brackets "Section 94(2)", the following shall be substituted, namely:—

"sub-section (2) and (3) of section 94";

(b) in sub-rule (1), for the word, figure and brackets "sub-section (2)", the following shall be substituted, namely—"sub-section (2), or exempted under sub-section (3)".

5. in rule 13, for the word, figure and brackets "sub-section (2)", the following shall be substituted, namely:—

"sub-section (2), or exempted under section (3)";

6. after Part I, the following Part shall be inserted, namely:—

"PART I A.—ESTABLISHMENT OF FUND BY AUTHORITIES EXEMPTED UNDER SUB-SECTION (3) OF SECTION 94.

**15A. Establishment of the Fund.**—The Authority may at any time establish a Fund for meeting any liability arising out of the use of any motor vehicle of that Authority which that Authority or any person in its employment may incur to third parties including liability arising under the Workmen's Compensation Act, 1923.

**15B. Amount of the Fund.**—(1) The Fund shall be established with an initial amount of not less than rupees one lakh. The amount shall be kept in deposit with the Bank.

(2) Subject to the provisions of sub-rule (3) the Authority shall pay into the Fund at the beginning of each accounting year in respect of its vehicles in a running condition, the following amounts, namely:—

(i) Rs. 180 for each transport vehicle,

(ii) Rs. 100 for each motor car, station wagon or jeep,

(iii) Rs. 50 for each motor cycle,

(iv) Rs. 268 for each trolley bus, and

(v) Rs. 132 for each tower wagon.

*Explanation.*—In this sub-rule, "Vehicle in running condition" mean all the vehicles of the authority which are expected to be in operation at any time during the accounting year.

(3) When the Fund exceeds rupees four lakhs or Rs. 1,500 per vehicle for the entire fleet of vehicles whichever is higher the annual payment referred to in sub-rule (2) shall cease provided that if thereafter the amount at the credit of the Fund falls below rupees four lakhs or Rs. 1,500 per vehicle for the entire fleet of vehicles whichever is higher, such annual payment shall again be resumed but the payment shall consist of a sum equal to the difference between rupees four lakhs or Rs. 1,500 per vehicle for the entire fleet of vehicles whichever is

higher and the actual amount for the time being at the credit of the Fund, or a sum calculated at the rate specified in sub-rule (2), whichever is less.

**15C. Investment of the Fund.**—From the amount at the credit of the Fund the Authority shall keep and maintain a cash deposit of not less than rupees fifty thousand in the Bank. The rest of the amount at the credit of the Fund shall be invested in Government securities.

**15D. Securities held as a deposit in the Fund.**—(1) All Government securities in which the Fund is invested shall be transferred to the Bank by the Authority.

(2) It shall be competent for the Authority at any time to exchange the Government securities for cash or for other Government securities of equal or greater market value, or both, and the Bank shall carry out the instructions issued by the Authority for such exchange after charging the usual commission to the Authority. The securities so exchanged shall also be transferred to the Bank.

**15E. Deposits-procedure.**—(1) As soon as the Fund is established the Bank shall send to the Authority a statement specifying the assets held by it on behalf of the Authority and shall also send a copy thereof to the Central Government in the Department of Transport or the State Government concerned, as the case may be.

(2) The statement referred to in sub-rule (1) shall be sent in the same manner and to the same authorities whenever there is a change in the assets of the Authority held by the Bank.

**15F. Interest on deposit in the Fund.**—Interest realised on cash deposits or the securities held in the Fund shall be paid by the Bank to the Authority.

**15G. Withdrawal from the Fund.**—(1) No amount shall be withdrawn from the Fund except for the purpose of meeting any liability arising out of the use of any motor vehicle of the Authority which the Authority or any person in the employment of the Authority may incur to third parties including liability arising under the Workmen's Compensation Act, 1923.

(2) The Authority shall, subject to such conditions and restrictions as it may impose in this behalf, authorise one of its officers to draw monies from the Fund for the purpose mentioned in sub-rule (1).

(3) A copy of the authorisation referred to in sub-rule (2) duly authenticated by a competent officer of the Authority shall be sent to the Bank which shall permit withdrawals only by the officer named in such authorisation subject to the conditions and restrictions contained therein.

**15H. Settlement of Claims procedure.**—The Authority shall comply with such directions as the Central Government or the State Government concerned, as the case may be, may from time to time issue, with respect to the procedure to be followed for settlement of claims which are to be met out of the Fund.”;

7. in clause (i) of rule 16,—

(a) for the words “public service vehicle”, the words “transport vehicle” shall be substituted;

(b) the words “as if it were an authorised insurer” shall be omitted;

8. in the Schedule, for FORM B, the following Form shall be substituted, namely:—

“FORM B (India)

MOTOR VEHICLES ACT, 1939.

Cover Note

(See rule 5)

1. Registration mark and number, or description, of the vehicles insured. ....
2. Name and address of insured. ....
3. Effective date of commencement of insurance for the purpose of the Act. ....
4. Date of expiry of insurance. ....
5. Persons or classes of persons entitled to drive. ....
6. Limitations as to use. ....

The period of validity of this cover note will expire on.....

I/We hereby certify that this cover note is issued in accordance with the provisions of Chapter VIII of the Motor Vehicles Act, 1939.

(Authorised insurer).

The period of validity of this cover note which expired on.....  
is extended upto.....

(Authorised insurer).

The period of validity of this cover note which expired on.....  
is further extended upto.....

(Authorised insurer).

The period of validity of this cover note which expired on.....  
is further extended upto.....

(Authorised insurer).”

[No. 3-TL(3)/58.]

New Delhi, the 26th April 1960

S.O. 1046.—In exercise of the powers conferred by sub-section (2) of section 1 of the Motor Vehicles (Amendment) Act, 1956 (100 of 1956), the Central Government hereby appoints the first day of June, 1960, as the date on which the provisions of section 24A of the Motor Vehicles Act, 1939 (4 of 1939) inserted by section 22 of the Motor Vehicles (Amendment) Act aforesaid shall come into force.

[No. 3-TL(1)/57.]

S.O. 1047.—In exercise of the powers conferred by sub-section (3) of section 24A of the Motor Vehicles Act, 1939 (4 of 1939), the Central Government hereby makes the following rules, the same having been previously published as required by section 133 of the said Act.

THE MOTOR VEHICLES (DIPLOMATIC AND CONSULAR OFFICERS VEHICLES) REGISTRATION RULES, 1960.

1. **Short title and commencement.**—(1) These rules may be called the Motor Vehicles (Diplomatic and Consular Officers Vehicles) Registration Rules, 1960.

(2) They shall come into force on the 1st June, 1960.

2. **Definitions.**—In these rules, unless the context otherwise requires:—

(a) "Act" means the Motor Vehicles Act, 1939 (4 of 1939);

(b) "competent authority" means:—

(a) in relation to a diplomatic officer or a consular officer who has his residence in Delhi where the vehicle is normally kept, the Secretary to the Government of India, in the Ministry of External Affairs (Protocol Division), or

(b) in relation to a diplomatic officer or a consular officer who has his residence at any other place, the Chief Secretary to the State Government;

(c) "Consular Officer" means a career consular officer in the regular employment of a foreign or Commonwealth Government;

(d) "Form" means a form appended to these rules;

(e) "prescribed" means prescribed by rules made by the State Government under the Act.

3. **Registration, how to be made.**—(1) Every application for registration of a motor vehicle under section 24A of the Act by or on behalf of any Diplomatic or Consular Officer shall be made in quadruplicate in Form I and be addressed to the competent authority.

*Explanation.*—An application for the registration of motor vehicle owned by a Diplomatic Mission or Consular Office shall be made by or on behalf of the Head of the Mission or the Consular Office, as the case may be.

(2) The competent Authority shall forward two copies of the application to the registering authority concerned together with a statement certifying the status of the person applying for registration and indicating whether or not he is entitled to exemption from payment of registration fees and shall return one copy of the application with the above statement to that person. The other copy of the application may be retained by the competent authority for record.

(3) The registering authority concerned shall, on receipt of the application duly endorsed under the provisions of sub-rule (2) register the vehicle in the name of that officer:

Provided that an application by or on behalf of a Consular Officer who is not entitled to exemption from payment of registration fees shall also be accompanied by the prescribed fee.

(4) The registering authority concerned shall issue to the owner of a motor vehicle registered by it under sub-rule (3), a certificate of registration in Form II. and shall enter in a record to be kept by it particulars of such certificate. The certificate of registration shall be delivered to the person applying for registration or be sent to him by registered post acknowledgement due.

(5) The registering authority shall assign to the vehicle for display thereon in the manner specified in rule 4 a distinguishing mark (in these rules referred to as the registration mark) consisting of the letters 'CD' in the case of a motor vehicle belonging to a Diplomatic Officer or the letters 'CC' in the case of a motor vehicle belonging to a Consular Officer, followed by a number containing not more than four figures.

4. **Exhibition of registration marks.**—(1) The registration mark to be assigned under sub-rule (5) of rule 3 shall be clearly exhibited, both at the front and rear of the vehicle on a plane surface of a plate of any metal the size of which shall be sixteen inches by five and half inches—

(i) with deep blue background, the registration mark and the number being in white, in the case of a motor vehicle of a Diplomatic Officer;

(ii) with yellow background, the registration mark and the number being in black, in the case of a motor vehicle of a Consular Officer.

(2) The registration mark shall be in English letters and numerals and—

(i) save in the case of a motor cycle or an invalid carriage, the letters shall be not less than  $2\frac{1}{4}$  inches high and  $\frac{5}{8}$ th inch thick at any part, the numerals shall be not less than  $3\frac{1}{4}$  inches high and  $\frac{1}{2}$  inch thick at any part, and there shall be a space between any letter and any numeral and between any letter or any numeral and the edge of the plane surface of not less than  $\frac{1}{4}$  inch and a space between any two letters and between any two numerals of not less than  $\frac{1}{8}$ th inch; and

(ii) in the case of a motor cycle or an invalid carriage, of dimensions not less than  $\frac{2}{3}$ rds of these specified in clause (i).

(3) The plane surfaces aforesaid shall not be inclined from the vertical by more than 30 degrees. The letters and numerals shall be exhibited as follows, that is to say—

(i) in the case of a transport vehicle both registration marks shall exhibit the letters and numerals in two separate horizontal lines, the letters above and the numerals below; and

(ii) in all other cases, the registration marks may exhibit the letters and numerals either in two horizontal lines as aforesaid or in one horizontal line.

(4) Notwithstanding anything contained in sub-rule (1) the registration mark exhibited at the front of a motor cycle or an invalid carriage may be displayed on a plate in line with the axis of the vehicle and shall, in such a case, be displayed on both sides of the plate.

(5) In the case of a trailer—

(a) the registration mark shall be exhibited on a plate or surface on the left hand side of the trailer, the dimensions of the letters and figures being not less than two-thirds of the dimensions prescribed in sub-rule (2);

(b) the registration mark of the drawing motor vehicle to be affixed to the rear of the trailer shall be in conformity with the provisions of these rules relating to the registration mark affixed to the rear of the motor vehicle.

**5. Production of vehicle at time of registration.**—The registering authority shall, before proceeding to register a motor vehicle under these rules, require the person applying for registration to produce the vehicle before it or such other authority as the State Government may by order appoint in this behalf in order that the registering authority may satisfy itself that the particulars contained in the application are true and that the vehicle complies with the requirements of Chapter V of the Act and of the rules made thereunder.

**6. Assignment of fresh registration mark on removal of vehicle to another State.**—(1) When a motor vehicle registered in accordance with these rules in one State has been kept in another State for a period exceeding twelve months, the owner of the vehicle shall apply to the registering authority within whose jurisdiction the vehicle then is for the assignment of a new registration mark and shall present the original certificate of registration to that authority.

(2) Every application under sub-rule (1) shall be made in quadruplicate in Form III and shall be addressed to the competent authority.

(3) The provisions of sub-rules (2), (3), (4) and (5) of rule 3 shall apply to an application made under sub-rule (1) of this rule as they apply to an application made under sub-rule (1) of rule 3.

(4) When a fresh registration mark has been assigned, the registering authority shall enter the mark upon the certificate of registration before returning it to the applicant. The registering authority shall also, in communication with the registering authority concerned which had previously registered the vehicle, arrange for the transfer of the registration of the vehicle from the records of that registering authority to its own records.



**7. Re-registration of existing vehicles of Diplomatic Officers and Consular Officers.**—Within three months from the commencement of these rules, every motor vehicle of a Diplomatic Officer or a Consular Officer, which has been registered before such commencement under section 24 of the Act, shall be re-registered and shall be assigned registration marks in accordance with these rules. The registering authority concerned shall also issue to the owner of such vehicle certificate of registration under sub-rule (4) of rule 3.

**8. Change of residence.**—(1) If the owner of a motor vehicle registered in accordance with these rules changes his residence as recorded in the certificate of registration, he shall within thirty days of any such change intimate his new address in form IV to the registering authority by which the certificate of registration was issued, or if the new address is within the jurisdiction of another registering authority, to that other registering authority and shall at the same time forward the certificate of registration to that registering authority in order that the new address may be entered therein.

(2) A registering authority other than the original registering authority making any such entry shall communicate the new address to the original registering authority.

(3) Nothing in a sub-rule (1) shall apply to a case where the change of residence is not intended to exceed six months in duration or where the motor vehicle is neither used nor removed from the address recorded in the certificate of registration.

**9. Transfer or disposal of motor vehicles.**—(1) Where a motor vehicle registered in accordance with these rules is transferred by way of sale or otherwise the transfer or shall, within fourteen days report the fact of the transfer along with the full name and address of the person to whom the vehicle is transferred to the registering authority within whose jurisdiction the transfer is effected and shall simultaneously send copies of the said report to:—

- (a) the transferee;
- (b) the competent authority;
- (c) the Collector of Customs of the port of importation of the vehicle, and where it is not possible to locate the port of importation, to the Collector of Central Excise or Customs nearest to the headquarters of the transferor; and
- (d) the original registering authority in whose records the registration of the vehicle is recorded. If the transfer is effected in the jurisdiction of another registering authority;

and shall also surrender the number plate in respect of the vehicle to the registering authority in whose records the registration of the vehicle is recorded, when the transfer is to a person other than a Diplomatic Officer or a Consular Officer

(2) Where the transferee is a Diplomatic Officer or a Consular Officer, an application by or on his behalf shall be made to the registering authority for registration of the vehicle in accordance with these rules.

**10. Duplicate certificate of registration.**—(1) The owner of a motor vehicle registered under these rules may, if the certificate of registration of the vehicle is torn, defaced or mutilated and shall, if it is lost or destroyed, apply in Form V to the registering authority by whom the certificate was issued for the issue of a duplicate certificate.

(2) On receipt of an application under sub-rule (1) together with the prescribed fee in cases where the applicant is not entitled to exemption, the registering authority shall issue a duplicate certificate of registration in Form II clearly stamped **DUPLICATE** in red ink.

(3) Where a duplicate certificate of registration has been obtained on the ground that the original certificate has been lost, the holder shall, if the original certificate is subsequently found, return the duplicate certificate of registration immediately to the registering authority who issued it.

**11. Loss of number plates.**—If the number plate of a motor vehicle is lost, the owner shall intimate the fact in writing in Form VI to the registering authority which has registered the vehicle and to the nearest police station.

(2) If the number plate is subsequently found or received by the owner he shall again report the fact to the registering authority and the police station aforesaid.

(3) If the number plate is not found or received by the owner, he shall arrange to have a fresh number plate prepared and exhibited on his motor vehicle.

**12. Disposal of surrendered plates.**—The number plates surrendered by Diplomatic or Consular Officers to the registering authority under rule (9) shall be destroyed by the registering authority within seven days from the date of surrender.

**13. Suspension and cancellation of Registration.**—If under the provisions of section 33 or section 34 of the Act, the registration of a motor vehicle made in accordance with these rules is suspended or cancelled, when a copy of the order of suspension or cancellation shall be sent to the competent authority in addition to each of the authorities or persons to whom a copy has to be sent under these sections.

#### FORM I

*Form of application for the Registration of a Motor Vehicle by or on behalf of a Diplomatic/Consular Officer.*

[See rule 3(1)]

1. Full name, designation and address of the Diplomatic Officer/Consular Officer/Full name, address and station of the Diplomatic Mission/Consular Office or post.....
  2. Age of the person to be registered as registered owner.....
  3. Name and address of the person from whom the vehicle was purchased/  
Name of the port through which the vehicle was imported/Name of the person or company from whose bonded stocks the vehicle was purchased and the name of the port.....
  4. Country from which imported.....
  5. Class of vehicle.....
  6. Type of body.....
  7. Maker's name.....
  8. Year of manufacture.....
  9. Number of cylinders.....
  10. Horse power.....
  11. Maker's classification or, if not known, wheel-base.....
  12. Chassis number.....
  13. Engine number.....
  14. Seating capacity (including driver).....
  15. Unladen weight.....
  16. Particulars of previous registration and registered number (if any).....
  17. I hereby declare that this vehicle has not been registered in any other State in India,
- Additional particulars to be completed  
only in the case of transport vehicle.
18. Colour or colours of body, wings and front and.....
  19. Number, description and size of types—
    - (a) front axle.....
    - (b) rear axle.....
    - (c) any other axle.....

20. Maximum laden weight.....lbs.  
 21. Maximum axle weight—(To be furnished in the case of heavy motor vehicles only)  
     (a) front axle.....lbs.  
     (b) rear axle.....lbs.  
     (c) any other axle.....lbs.

The above particulars are to be filled in for a rigid frame motor vehicle of two or more axles.

Signature of applicant.

For use in the Ministry of External Affairs (Protocol Division) or in the office of the Chief Secretary of the State Government concerned.

Certified that.....  
 .....(Name and designation)  
 is a Diplomatic Officer/Consular Officer recognised by the Government of India and that he/she is/is not entitled to exemption from payment of registration fees.  
 Place.....  
 Date.....

Signature of the officer.....  
 Designation.....

## FORM II

### Form of Certificate of Registration

[See Rule 3(4)]

Registered number.....  
 Brief Description of vehicle,

(e.g. Fiat 1100 or Hindustan Landmaster car, Willys jeeps, Dodge/Desoto/Fadga petrol/diesel truck, Leyland 36 seater diesel bus, trailer etc.)

Full name, designation and address of the Diplomatic Officer/Consular Officer/  
 Full name, address and station of the Diplomatic Mission/Consular Office or post  
 .....

Signature of registering authority.

Transferred to

Signature of registering authority.

Transferred to

Signature of registering authority.

### Detailed Description.

1. Class of vehicle.....
2. Maker's name.....
3. Type of body.....
4. Year of manufacture.....
5. Number of cylinders.....
6. Chassis number.....
7. Engine number.....
8. Horse power.....
9. Maker's classification, or, if not known, wheel base.....
10. Seating capacity (including driver).....

11. Unladen weight.....
- Additional particulars in the case of  
all transport vehicles.
12. Colour or colours of body, wings and front end.....
13. Registered laden weight.....
14. Number, description and size of tyres—
- (a) front axle.....
- (b) rear axle.....
- (c) any other axle.....
15. Registered axle weight (in the case of heavy motor vehicles only):—
- (a) front axle.....lbs.
- (b) rear axle.....lbs.
- (c) any other axle.....lbs.

Signature of registering  
authority.

Dated.....19

### FORM III

[See rule 6(2)]

*Intimation of change of State of residence and application for assignment of fresh  
registration mark*

To

The Registering Authority, .....

I, .....  
(Name and designation)

of the.....being the, owner of.....  
motor vehicle No.....registered at under section 24-A of the  
Motor Vehicles Act, 1939 hereby declare that I have, since the.....  
day of.....19.... kept the said motor vehicle in the State  
of.....and hereby apply for assignment to the motor  
vehicle of a fresh registration mark.

I enclose the certificate of registration and the certificate of fitness\* of the  
vehicle.

Date.....19

Signature of the owner.

\* Strike out the words "and the certificate of fitness" if inapplicable.

For use in the Ministry of External  
Affairs (Protocol Division) or in the  
Office of the Chief Secretary of the  
State Government concerned.

Certified that.....

(Name and designation)

continues to hold the status of a Diplomatic Officer/Consular Officer.

He/She is at present stationed at.....

Signature of the Officer.....

Designation.....

Place.....

Date.....

FORM IV

[See rule 8]

*Intimation of change of residence.*

To

The Registering Authority, .....

I, .....

(Name and designation)

of the.....being the, owner of.....  
motor vehicle No.....registering under section 24-A of the  
Motor Vehicles Act, 1939 hereby declare that I have, since the.....  
day of.....19.....changed my place of residence from.....  
to.....

Signature of the applicant.

Place.....

Date.....

FORM V

[See rule 10]

*Intimation of loss/destruction/defacement/mutilation of certificate of registration and application for the issue of a duplicate certificate of registration, in place of any certificate lost/destroyed/torn/defaced/mutilated.*

To

The Registering Authority, .....

The certificate of registration of my motor vehicle, the registration mark of which is.....has been \*lost/destroyed/torn/defaced/mutilated in the following circumstances:—

.....  
.....

I hereby declare that to my knowledge the said certificate of registration has not been either suspended or cancelled under any of the provisions of the Act or Rules made thereunder and I hereby apply for the issue of a duplicate certificate.

I here with deposit the fee of Rs. ....

I am exempted from the payment of registration fees.

Signature of the applicant.

Address.....

Date.....

\* Strike out which ever is inapplicable.

FORM VI

[See rule 11/

*Intimation of loss of Number plate.*

To

The Registering Authority

The Officer-in-charge of Police Station

I, .....

hereby declare that the number plate bearing the registration mark.....  
issued on.....in respect of my motor vehicle registered  
under section 24-A of the Motor Vehicles Act, 1939 at your office/the office of  
.....has been lost in the following circumstances.

Signature of the applicant.

Address.....

Date.....

[No. 27-T(9)/53.]

D. D. SURI, Dy. Secy.

## (Departments of Communications and Civil Aviation)

*New Delhi, the 22nd April 1960*

**S.O. 1048.**—In exercise of the powers conferred by rule 53 of the Indian Aircraft Rules, 1920, as kept in force by the notification of the Government of India in the late Department of Industries and Labour, No. V-26, dated the 23rd March, 1937, the Central Government hereby rescinds the notification of the Government of India in the late Ministry of Communications No. 10-A(51)/48, dated the 2nd May, 1950, declaring the aerodrome at Agartala to be a Customs aerodrome.

[No. 10-A/12-59.]

D. R. KOHLI, Under Secy.

## MINISTRY OF REHABILITATION

*New Delhi, the 20th April 1960*

**S.O. 1049.**—Whereas the Central Government is of opinion that it is necessary to acquire the evacuee properties in the Union territory of Delhi specified in the Schedule below for a public purpose, being a purpose connected with the relief and rehabilitation of displaced persons, including payment of compensation to such persons;

Now, therefore, in exercise of the powers conferred by section 12 of Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), it is notified that the Central Government has decided to acquire, and hereby acquires the said evacuee properties.

## THE SCHEDULE

| Serial No. | Particulars of evacuee property   | Name of the town and locality in which the evacuee property is situated | Name of evacuee   |
|------------|-----------------------------------|---|---|
| 1          | VII/3704/62-64                    | Masjid Tewar Khan Delhi.  | Mussamat Saidul Nisa,<br>Mussamat Kulsum Bi,<br>Mussamat Zubeda Khatoon,<br>Mohamed Naqi,<br>Anisuddin. |
| 2          | VII/1018-19/1349 and 1352-1361.   | Perash Khana Delhi  | Mussamat Saidul Nisa,<br>Mussamat Kulsum Bi,<br>Mussamat Zubeda Khatoon,<br>Mohamed Naqi,<br>Anisuddin. |
| 3          | VII/3020-24/5532-345 and 5560-63. | G.B. Road, Delhi]   | Mussamat Saidul Nisa,<br>Mussamat Kulsum Bi,<br>Mussamat Zubeda Khatoon,<br>Mohamed Naqi,<br>Anisuddin. |
| 4          | VI/2060/4126-30                   | Nai-Sarak Delhi   | Mussamat Saidul Nisa,<br>Mussamat Kulsum Bi,<br>Mussamat Zubeda Khatoon,<br>Mohamed Naqi,<br>Anisuddin. |

[No. F. 1(1218)-58/Comp.III/Prop-I/P-IV.]

**S.O. 1050.**—Whereas the Central Government is of opinion that it is necessary to acquire the evacuee property in the Union territory of Delhi specified in the Schedule below for a public purpose, being a purpose connected with the relief and rehabilitation of displaced persons, including payment of compensation to such persons;

Now, therefore, in exercise of the powers conferred by section 12 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), it is notified that the Central Government has decided to acquire, and hereby acquires the said evacuee property.

THE SCHEDULE

| Sl. No. | Particulars of evacuee property | Name of the town and locality in which the evacuee property is situated | Name of evacuee | Parentage of evacuee     |
|---------|---------------------------------|---|-----------------|--------------------------|
| 1       | XIII/7776-78(old)/7037-38(new). | Beriwala Bagh   | Jamil-ur-Rehman | Son of Khalil-ur-Rehman. |

[No. F. 1(1218)-58/Comp.III/Prop-I/Part.IV/I.]

**S.O. 1051.**—Whereas the Central Government is of opinion that it is necessary to acquire the evacuee properties in the Union Territory of Delhi, specified in the Schedule below for a public purpose, being a purpose connected with the relief and rehabilitation of displaced persons, including payment of compensation to such persons;

Now, therefore, in exercise of the powers conferred by section 12 of Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), it is notified that the Central Government has decided to acquire, and hereby acquires, the evacuee properties specified in the Schedule below:—

THE SCHEDULE

| Sl. No. | Particulars of evacuee property                                   | Name of the town and locality in which the evacuee property is situated | Name of evacuee   |
|---------|---|---|---|
| 1       | VI/439-44/1030(new)   | Gali Chabak Swaran, Lal Kuan, Delhi.                                    | Mst. Zanat Sultan Jahan Begum. Wife of Mirza Fazal Ahmed.                             |
| 2       | VII/395-395H Part/125 1/2 to 130 (new)                            | Masjid Tehwar Khan Delhi.   | Mohammad Arif. Son of Umar Parooq.  |
| 3       | VII/1856/Part/3017 (new)  | Mohalla Shah Ganj, Delhi.   | Mst. Salamati Jan.  |
| 4       | VII/1535/2473 (new)<br>VII/1536/2474 (new)<br>VII/1624-26/2616-20 | G.B. Road, Delhi  | 1. Abdul Karim<br>2. Abdul Rahim.<br>3. Mst. Sakina } Sons and daughter of Maula Bux. |
| 5       | Property No. 857  | Village Najafgarh, Delhi.   | Ashraf . . . Son of Ramzani.  |
| 6       | X/1283A(old)/1913 (new).  | Sucwala, Delhi.   | Raizuddin.  |

[No. F. 1(1218)-58/Comp.III/Prop-I/Part-V.]

New Delhi, the 22nd April 1960

**S.O. 1052.**—Whereas the Central Government is of opinion that it is necessary to acquire the evacuee properties specified in the Schedule hereto annexed in the State of Uttar Pradesh, for a public purpose, being a purpose connected with the relief and rehabilitation of displaced persons, including payment of compensation to such persons;

Now, therefore, in exercise of the powers conferred by section 12 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), it is notified that the Central Government has decided to acquire, and hereby acquires, the evacuee properties specified in the Schedule hereto annexed.

## THE SCHEDULE

| Sl. No.                 | Particulars of the property | Name of the town and locality in which the evacuee property is situated | Name of Evacuee                                       |
|-------------------------|-----------------------------|---|---|
| <b>DISTRICT BANDA</b>   |                             |   |   |
| 1                       | One Kachcha House           | Mohalla Chhawani, near Ram Lila Ground Banda,                           | Musammat Hakiman Nisha daughter of Sri Abdul Hussain. |
| 2                       | One Kachcha Pucca House     | Mohalla Mardan Naka Banda   | Sri Mahmood ali son of Mohammad ali.                  |
| <b>DISTRICT LUCKNOW</b> |                             |   |   |
| <b>LUCKNOW CITY</b>     |                             |   |   |
| 1                       | Property No. W/P-7/276      | Mohalla Bashiratganj, P.S. Wazirganj, Lucknow                           | Shrimati Rabia daughter of Bhulla.                    |

[No. F. 1(1217)-58/Comp.III/Prop-I/Part-VI.]

## (Office of the Chief Settlement Commissioner)

*New Delhi, the 20th April 1960*

**S.O. 1053.**—In exercise of the powers conferred by Sub-Section (1) of Section 6 of the Administration of Evacuee Property Act, 1950 (XXXI of 1950) the Central Government hereby appoints for the Union Territory of Delhi, Shri Gulab L. Ajwani for the time being holding the post of Assistant Settlement Commissioner in the office of the Regional Settlement Commissioner-Cum-Custodian of Evacuee Property, Delhi as Deputy Custodian for the purpose of discharging the duties assigned to the Custodian by or under the said Act with effect from the date he took over charge of his office.

[No. 16(4)-Admn (Prop)/60.]

*New Delhi, the 22nd April 1960*

**S.O. 1054.**—In exercise of the powers conferred by Sub-Section (I) of Section 4 of the Evacuee Interest (Separation) Act, 1951, the Central Government hereby appoints for the Union Territory of Delhi, Shri C. L. Mahay as Competent Officer, for the purpose of discharging the duties assigned to the Competent Officer by or under the said Act, within the said territory, with effect from the afternoon of the 28th March, 1960.

[No. 27(20)-Admn(Prop)/60.]

**S.O. 1055.**—In exercise of the powers conferred by Clause (a) of Sub-Section (2) of Section 16 of the Displaced Persons (Comp & Rehab.) Act No. 44 of 1954 the Central Government hereby appoints for the State of Rajasthan all the officers for the time being holding the post of Managing Officer Grade II under the Regional Settlement Commissioner, Rajasthan as Managing Officer, for the custody, management and disposal of acquired properties situated in the rural areas.

[No. 16(6)-Admn(Prop)/60.]

*New Delhi, the 23rd April 1960*

**S.O. 1056.**—In exercise of the powers conferred by sub-section (1) of Section 13 of Evacuee Interest (Separation) Act, 1951 (LXIV of 1951), the Central Government hereby appoints Shri Parshotam Sarup as Appellate Officer for the Union Territories of Delhi and Himachal Pradesh with effect from April 6, 1960.

[No. 27(56)-Admn(Prop)/59.]

**KANWAR BAHADUR,**Settlement Commissioner (Admn.) & *Ex-Officio*.  
Dy. Secy.



**DELHI DEVELOPMENT AUTHORITY**

*New Delhi, the 20th April 1960*

**S.O. 1057.**—In pursuance of the provisions of sub-section (4) of Section 22 of the Delhi Development Act, 1957, the Delhi Development Authority has replaced at the disposal of the Central Government the Nazul land described in the Schedule below:—

**SCHEDULE**

Land measuring 1,200 bighas or 250 acres situated on the Kitchner Road, West of the Diplomatic Enclave in Arakpur Bagh Mochi Estate comprising Khasra Nos. 42 min measuring 211 Bighas, 7 Biswas, 43 min measuring 100 Bighas, 44 min measuring 294 Bighas, 1 Biswa, 47 min measuring 360 Bighas, 5 Biswas, 48 min measuring one Biswa, 49 min measuring one Bigha, nine Biswas, and 560/180 measuring 232 Bighas, 17 Biswas.

The above land is bounded as follows:—

North:—Kitchner Road.

South:—Land under possession of Chief Commissioner, Delhi.

East:—Railway Colony.

West:—Railway Boundary.

[No. L.2(26)59.]

M. L. GUPTA, Secy.

**MINISTRY OF LABOUR & EMPLOYMENT**

*New Delhi, the 20th April 1960*

**S.O. 1058.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Arbitrator in the industrial dispute between the Bombay Port Trust and their workmen.

**ARBITRATION BETWEEN**

The Trustees of the Port of Bombay

AND

Their workmen represented by

The Bombay Port Trust General Workers' Union

**PRESENT:**

Shri F. Jeejeebhoy, Sole Arbitrator.

Date: 11th April, 1960.

**APPEARANCES:**

Shri S. D. Nariman, Legal Adviser—for the Bombay Port Trust.

Shri S. Maitra, General Secretary, B.P.T. General Workers' Union.

Shri S. J. Deshmuk, Assistant Secretary, Bombay Port Trust Employees' Union.

STATE: Bombay.

INDUSTRY: Ports and Docks.

**AWARD**

By an agreement dated 28th August 1959 the Trustees of the Port of Bombay on the one hand and the workmen represented by the Port Trust General Workers' Union on the other hand referred to me certain matters in dispute between them for arbitration. A copy of the said agreement is annexed to this award. The said arbitration agreement was published by the Government of India in the Ministry of Labour and Employment Order No. LR-IV-28(41)/59, dated 11th September 1959.

I have heard the parties and I shall deal with the issues raised in their order.

*Issue No. 1(20).—*“Rat catchers” should be paid ‘Unclean Allowance’ as is being paid to the Sweepers and Scavengers.’

I hold that they should be given some allowance because of the nature of their duties which includes the clubbing of rats. I therefore allow them Rs. 2 as an allowance because of the nature of their work and they will continue as in the past to receive the sums which municipality pays for rats caught.

*Issue No. 3(22).—*‘The staff working under the Oil Pipe Line and Power House of the Oil Terminal at Butcher Island be supplied with Rain Coats’.

At present certain categories there are supplied with rain coats and caps once in three years, but the mazdoors are supplied with a coarse blanket each (Kambli) once in two years, and on a pool basis. The Port Trust agrees that the pool basis should be abolished and that the Kambli should be given on an individual basis as is given to other workmen there. Labour however urges that instead of Kambli the workmen should be given overcoats and caps. Shri Nariman takes the view that Kambli are more suitable for the work in that area and climate. Labour has pointed out the difficulties involved in keeping the Kambli in position and strongly press for rain coats and caps. In my opinion Labour’s contention is valid. I therefore direct that the staff working under the Oil Pipe Line and Power House of the Oil Terminal at Butcher Island should be given rain coats and caps once in three years in place of Kambli and that these coats and caps should be given on an individual basis.

*Issue No. 4(23).—*The mazdoors working under the Controller of Stores be supplied with Kambli once in every alternate year instead of the present ‘pool system’.

The Port Trust agrees that the pool system should go and they also agree that all workmen under the Controller of Stores who have to do out-door work either as a normal routine or on occasion should be given Kambli once in every alternate year on individual basis. I award accordingly.

*Issue No. 5(27).—*Shri R. V. Akerkar, Clerk, Railway Manager’s Office, be paid his arrears of acting allowance for the period of 1st January 1947 to 9th November 1948.

The Port Trust contends that upon a proper interpretation of the rules this claim cannot be granted, but it appreciates that on a wrong interpretation of the rules those similarly situated have been paid acting allowance, and so the Port Trust agrees that Shri R. V. Akerkar should also be paid as claimed. It is awarded accordingly.

*Issue No. 2(21).—*“A post of Shore Serang 1st grade be sanctioned for the Butcher Island, Shore Establishment of the Port Department.”

Butcher Island is the oil terminal. The larger oil tankers arrive at Butcher Island and the small ones at Pir Pau on the mainland. The berthing of vessels at Butcher Island is necessarily a more difficult type of work, and there is attached at the Butcher Island berths a full time dockmaster, assisted by a Shore serang of Grade II, some tindals and a body of lascars. The dock master superintends the berthing and the departure of the vessels. The dock master and the staff work on the shore, and the staff help with the lines etc. and attend to their other necessary duties in the process of berthing and unberthing.

At Pir Pau the Pilot on the incoming vessel does his own berthing, and under him are the lascars who work on the shore and help in making fast.

It is the contention of labour that the post of shore serang at Butcher Island should be upgraded to the first grade.

I am unable to hold that it is necessary for the purposes of the work that the post of serang at Butcher Island should be upgraded to grade I, especially as the Dock Master is always present and supervises the operations. I am therefore unable to direct any upgrading of the post, and the claim is not allowed.

There is however some substance in the complaint that as the Butcher Island complement constitute a separate section, there are no chances of promotion for the serang of grade II; I suggest that this point might be considered by the Port Trust. I make no observation on the subject because it is not before me and therefore has not been pursued.

*Issue No. 6(28).*—"Shri V. R. Komurlekar, Clerk, Controller of Store's Department, who was appointed as a 'Timber Clerk', be designated as such and be granted a suitable scale of pay in recognition of the specialised nature of work with effect from the date of his appointment."

This clerk responded to an advertisement calling for a timber clerk in 1947. and he was appointed as one of the timber clerks then selected in a temporary capacity. He claims that he has some specialised knowledge in timber work; but the post did not require any qualifications other than what was stated in the advertisement. He was given the scale of Rs. 65—5—100 and was started on Rs. 90.

Within about 18 months of his appointment there was a revision of wages in the Port Trust. The single clerical grade was divided into two grades, namely, 'A' grade with a scale of 100—8—140—EB—8—180—10—200, and 'B' grade with a scale of 60—5—100—EB—5—150. There was in consequence a scheme settled by the Port Trust *inter alia* for the absorption of existing temporary posts, and directions were given as to the allocation of personnel to grade 'A' and grade 'B'. Shri Komurlekar amongst others was thus absorbed into the permanent cadre and he was placed in scale B, and according to the scheme he was allowed to retain the unified scale of 65—180 as a personal benefit. He contends that he should have been placed in scale 'A' because of his superior knowledge of timber. It is however clear that even if he did possess those qualifications, they were not required for the purposes of his work which was well defined and by no means complex. It appears that what he did was part and parcel of his general work as timber clerk. He claims that he was consulted about timbers; but an elementary examination of timbers tendered by sellers was part of his work, and if he carried out any private laboratory tests they were for his own satisfaction and not in pursuance of his duties. From 1953 he did no timber work in connection with the section, but he claims, that even today he is called upon to give his opinion at times even though he is in an entirely different section like the bill section. The question before me is whether in 1948-49 when he was absorbed into the clerical cadre he should have been placed straightaway from the scale of Rs. 65—100 into the scale of 100—200. In other words whether he was wrongly placed in scale 'B'.

I have examined the question carefully and have seen the directions for allocation issued by the Port Trust at that time, and which were applied to the staff at the time of absorption into the separate grade. Shri Komurlekar had to his credit only about 18 months or two years temporary service, and from the point of view of seniority he was very low, being the seventh from the bottom. There are no grounds for holding that he should have been placed in scale 'A'.

It has next been urged that he should be appointed again as timber clerk and be granted a suitable scale of pay in recognition of the specialised nature of work with effect from the date of his appointment. This is clearly not possible. Previously the timber was being purchased from outside, but for some time after 1954 the timber was being purchased from the Government. Upon his being appointed to the 'B' scale of clerks Shri Komurlekar received permanency and advancement, towards which the special knowledge claimed by him had made no contribution. He has been shifted to other sections according to exigencies of service, and the special knowledge of timber which he claims to have was never required for his several jobs. He has no right to claim to be sent back to the timber department, and in any event he cannot be sent there because that department at present consists of a single clerk and a few mazdoors, and obviously that clerk should not be displaced to make way for Shri Komurlekar. The claim cannot be granted.

*Issue No. 7(35).*—This claim is as follows:—

"In the new Refuse Trucks under the Docks Department, the strength of the men be increased to nine." In addition to the older trucks which collect and carry refuse, the Port Trust has introduced new trucks with a larger capacity for removing refuse. For the older trucks there used to be a complement of 7 men and the same number of men are attached to the new trucks. The duties of these men consist of going with the trucks to the refuse dumps and loading the refuse into the trucks. These men do not go to the spot where the refuse is ultimately unloaded, for this is the work of a different section, except may be once or twice a month when the employees of the other section are on leave. It has been said that the work imposed upon the seven men by reason of the larger size of the new vehicles is excessive and that therefore the number should be increased to 9. I had before me one of the mazdoors engaged in this work. He said that they

would gather at about 6-30 in the morning at a dump; the lorry would be there and they would fill it with the refuse of that dump. They would then move to another dump, and so on until the truck was full. The truck would then drive away without them and would return an hour or so later, to pick up the refuse of other dumps. There would be a mid-day recess and in the afternoon similar work would be done. It appears that the work is of a character which allows for ample rest and that the workmen are not overworked even with the larger trucks. The difference between the older trucks and the new trucks from the point of view of lift is not so very much. The normal work day consists of two trips of the larger trucks and three trips of the smaller trucks.

I hold that there are no grounds for increasing the strength of the men to 9.

*Issue No. 9(38).*—"The Signalling Staff of the Vessel be redesignated as "Radio Officers" as is in existence at Calcutta Port and be given similar scales of pay and suitable uniforms."

It is agreed that this issue should stand over until the Report of the Committee for Classification and Categorisation of Employees of Major Ports is issued. If this subject is covered by that Report then nothing further need be done in or about this issue in this arbitration. If however the issue remains undisposed of then a further hearing on this issue may take place.

*Issue No. 10(44).*—"Those *ex*-Karachi Port Trust employees, who were absorbed as indoor clerks in the Bombay Port Trust, should be allowed the advance increments on the basis of their service in the Karachi Port, in terms of T.R. No. 720 dated 13th September 1949, in addition to the advance increments in terms of T.R. No. 502 dated 17th September 1946, by reason of their being graduates or Honours graduates?"

This issue arises out of the decision of the Port Trust reached on 13th September 1949. In the Chairman's note of 26th July 1949 it was stated as follows:—

"A number of displaced persons from Pakistan who had previously rendered service in the Karachi Port Trust have been re-employed in the Bombay Port Trust as clerks 'B' Scale, and in accordance with the usual practice, such persons started at the bottom of the junior clerk's grade even though they had many years' service, in some cases over 20 years, in the Karachi Port Trust. In view of their previous experience, I have issued orders that provided the work of these experienced men is of a higher quality than that of inexperienced men, their pay may be fixed, after completing one year's qualifying service in the Bombay Port Trust, by the grant of advance increments on the following basis:

|   | No. of advance<br>increments |
|---|------------------------------|
| (1) Upto 5 years' service in the Karachi Port Trust   | Nil                          |
| (2) Over 5 years' service and upto 10 years' service  | 2                            |
| (3) Over 10 years' service and upto 15 years' service | 3                            |
| (4) Over 15 years' service and upto 20 years' service | 4                            |
| (5) Over 20 years' service                            | 5 "                          |

The Port Trust agreed to the Chairman's suggestion and recommended that advance increments be granted to the *ex*-Karachi employees of the Karachi Port Trust on the basis of the length of their service in the Karachi Port Trust as proposed in their note dated 26th July 1949, with effect from the date of their joining the Bombay Port Trust service.

There was a unified clerical scale in the Port Trust of Rs. 65—180. There was also a scale for what was known as the Temporary Indoor Clerks of Rs. 65—100, with a proviso that a graduate or a Honour's Graduate would get a start of Rs. 10 more.

Certain *ex*-employees of the Karachi Port Trust were taken into the temporary Indoor Clerical scale of Rs. 65—100; those of them who were graduates got the starting salary of Rs. 75 and the others started on Rs. 65. Though the Reference is in general terms, the graduates are the category to which the Reference has particular application, and the specific case of Shri Tekhchandani was taken as an example. It is admitted by the Port Trust that the persons so appointed as temporary Indoor Clerks, as well as all others to whom this Resolution applied, would be entitled to the increments which had been given to them on the basis

of the tenure of approved service with the Karachi Port Trust. Indeed, all have received it with the exception of those from Karachi who being graduates, were given an initial start of Rs. 10 more. It has been urged on behalf of the Port Trust that the ex-employees of the Karachi Port Trust could not claim the benefit of both the advantages, namely, the advantage of a higher start for graduates as well as the increments given by the Resolution. According to the Port Trust, the employee would get the higher of the two benefits.

I have gone very carefully into the merits of this issue and the hearing lasted over two days. It is interesting in this connection to take the case of Shri Tekhchandani who was appointed a temporary Indoor Clerk on 15th June 1948 in the scale of Rs. 65—100, and being a graduate started with Rs. 75. There was an interim revision of the Clerical Scale on 1st May 1948 and a consolidated clerical scale of Rs. 65—180 continued until the 9th of November 1948 when the two new scales came into operation—'A' Scale—Rs. 100—200 and 'B' Scale—Rs. 65—150. According to the Scheme, 50 per cent of 'A' scale was reserved for graduates. On revision, Shri Tekhchandani became a temporary 'B' scale clerk from the date of his appointment, but his existing scale was protected. He was confirmed in the 'B' scale on 9th January 1951, but the actual order was passed on 31st January 1951 because of the general ban on confirmation. He later went into scale 'A'; he was put there to act from 2nd May 1955 and was confirmed on 27th May 1955, and started with a substantive pay of Rs. 154.

Undoubtedly this question turns on the interpretation of the Resolution of 13th September 1949 to which reference has been made. Shri Nariman, on behalf of the Port Trust, has urged that as 50 per cent of the 'A' scale has been reserved for graduates, it could not have been intended that the dual benefits of the original start on the basis of a University degree was to be continued in addition to the new increments, and it was also urged that the word "as clerks 'B' Scale" was in accordance with the usual practice—such persons were started at the bottom of the junior grade scale, and that would apply to a person like Shri Tekhchandani. But, it is an admitted fact that all the others from Karachi who were appointed but who were not graduates have already received the benefits of the Resolution of 13th September 1949. And it is a fact that at least 50 per cent of the persons who would be going into 'A' scale would be non-graduates.

There is nothing in the Resolution of 13th September 1949 which tends to make any distinction in the matter of graduates and non-graduates for the benefits brought into being by that Resolution. Every displaced person from Pakistan who had previously rendered service in the Karachi Port Trust and on re-employment in the Bombay Port Trust as clerk in 'B' scale and was started as usual at the bottom of the Junior Clerk's grade, was entitled to the benefit of additional increments provided that the clerk of such experience was of a higher quality than the inexperienced men. For the purposes of those incremental benefits, there is nowhere any exclusion, express or implied, of that class of employees who had started a little higher because of their graduate qualifications; and in fact for a Graduate Rs. 75 was his start of the scale. I would, therefore, answer the issue in this sense:

The benefits of the increments as given by Resolution No. 720 of 13th September 1949 accrue to the advantage of the ex-Karachi Port Trust Employees who were absorbed in the Bombay Port Trust even though they had started on a higher minimum of the scale because of their graduate or Honours Graduate qualifications, and the claim of Labour accordingly succeeds.

*Issue No. 8(37).*—"The shore crews working at the Prince's and Victoria Docks, appointed after the introduction of 'two shifts' working be also provided with dormitory Accommodation and Bhandaris."

Prior to 1953 the shore lascars of Alexandra Dock as well as of Prince's and Victoria Docks were on duty round the clock. In 1953 in order to comply with the terms of the Minimum Wages Act a second shift had to be employed; and thus from that time two shifts, each consisting of the same number of men as were employed before 1953, came into existence, and they were to work for 12 hours each shift. They were given 2 hours off during the course of the shift but at periods convenient to the work in hand, and they were given two hours of over-time each day as a regular feature of their emoluments.

In 1954 a similar second shift was introduced in the Prince's and Victoria Docks.

From the statistical evidence which has been produced it cannot be said that the men have been at all overworked.

The single shift used to get free living accommodation in or near the docks in addition to their house rent allowance. This was necessitated by the fact that the single shift men were required to be on duty all the time during the 24 hours. But with the introduction of the second shift at Alexandra Docks the Port Trust decided that the necessity of having the lascars on call all the time had ceased and that it was not necessary to have accommodation provided for them near the dock site. Accordingly the Chairman of the Port Trust at that time recommended and the Board of Trustees of the Port Trust accepted, the following proposal on the subject:—

"The present shore crew are entitled to free dormitory accommodation: They are housed in the Alexandra Dock itself as they are liable to be called out at any time of the day or night as has already been stated above. Once they are placed on the shift system and have regular hours of duty, they will be on a par with certain categories of the staff of the docks and engineering departments, who also work in shift and who are not entitled to free accommodation. The present concession may be made personal to the present staff. As the existing accommodation is bad a new dormitory is being built where the additional staff may be allowed to stay and enjoy the existing concession but it should be made clear that they are not entitled to it."

When in 1954 the second shift was introduced at the Prince's and Victoria Docks the same general policy was observed as regards accommodation.

It is now contended that it is necessary for the lascars of both the first and the second shifts at the Prince's and Victoria Docks that they should get accommodation at the dock site, provided free by the Port Trust and equipped for living purposes and duly supplied with the bhandari.

It is urged that whatever may have been the policy of the Port Trust at the time of the creation of the second shift in 1953 and 1954 respectively, there was a departure from such a policy when the second shift was introduced at Butcher Island which is the oil terminal. There are however circumstances peculiar to working at the oil terminal.

As a matter of policy it is for the employers to decide for themselves as to whether the presence of a particular staff is so "essential" that the staff should be provided with accommodation in the vicinity of the work. For instance, the fire fighters might fall within the class that should be provided with such accommodation. But if the authorities take the view that a particular staff receiving house rent allowance should find its own accommodation and should come to work just like many another employee, then it is difficult to question the decision of the employer on the point. On the facts I am unable to conclude that the decision of the Port Trust on the subject before me is open to objection.

It has been urged that the question referred in this arbitration in effect relates only to providing free accommodation to the shore lascars. But it has its inherent ramifications. I must be extremely careful in matters of this character, because a claim of this kind presupposes the existence of such accommodation, and if no such accommodation is available it means the construction of new buildings; the cost of giving free accommodation has also to be borne in mind since the personnel get house rent allowance; and once the principle is conceded as pressed, that the convenience of the workmen is the governing consideration then similar claims could easily be made by almost all the other workers. It has been urged by the union that in matters of this kind it is not only the immediate requirement of a man's presence at the dock site to be considered but also the difficulties of the workers in getting to the place of work and going back home; but these difficulties are shared by the majority of industrial workers in the Bombay area. It may be that the shift is of 12 hours duration, but there is rest for 2 hours and from the statistics available the workmen have considerable free time. The other argument of the union is to the effect that by usage and custom these men of the second shift have acquired the right to such accommodation, but it may here be observed that this claim concerns only the Prince's and Victoria Docks' second shift. The plea of usage or custom which has been invoked is based on nothing more than unauthorised occupation by a few. In my opinion no such usage or custom has been created by the concessions given by the Port Trust or by the unauthorised occupation by the lascars. In fact the plea of usage and custom as rightly understood does not arise in a matter of this kind.

I am unable to decide this claim in favour of labour and the claim is negatived.

Now, therefore, I make an award in terms aforesaid.

Dated: 11th April, 1960.

Bombay.

Sd./- F. JEEJEEBHoy, Arbitrator.

### AGREEMENT

(Under Section 10A of the Industrial Disputes Act, 1947.)

#### BETWEEN

The Trustees of the Port of Bombay

#### AND

The workmen of the Trustees of the Port of Bombay belonging to the establishments of the Bombay Port Trust set out below and represented by the Bombay Port Trust General Workers' Union.

#### NAMES OF PARTIES:

*Representing Employers:* The Trustees of the Port of Bombay.

*Representing Workmen:* The Bombay Port Trust General Workers' Union.

It is hereby agreed between the parties to refer the following industrial disputes to the sole arbitration of Shri F. JEEJEEBHoy at present Presiding Officer, Central Government Industrial Tribunal, City Ice Building, Bazargate Street, Bombay.

(i) The matters in dispute are as follows:—

20. "Rat catchers" should be paid 'Unclean Allowance' as is being paid to the Sweepers and Scavengers.
21. A post of Shore Syrang, 1st grade be sanctioned for the Butcher Island, Shore Establishment of the Port Department.
22. The staff working under the Oil Pipe Line and Power House of the Oil Terminal at Butcher Island be supplied with Kalies once in every alternate year instead of the present 'pool system'.
27. Shri R. V. Akerkar, Clerk, Railway Manager's Office, be paid his arrears of acting allowance for the period of 1st January 1947 to 9th November 1948.
28. Shri V. R. Komurlekar, Clerk, Controller of Stores's Department, who was appointed as a 'Timber Clerk', be designated as such and be granted a suitable scale of pay in recognition of the specialised nature of work with effect from the date of his appointment.
35. In the new Refuse Trucks under the Docks Department, the strength of the men be increased to nine.
37. The shore crews working at the Prince's & Victoria Docks, appointed after the introduction of 'two shifts' to 'two shifts' working, be also provided with Dormitory accommodation and Bhandaris.
38. The Signalling Staff of the Pilot Vessel be redesignated as "Radio Officers" as is in existence at Calcutta Port and be given similar scales of pay and suitable uniforms.
44. Those ex-Karachi Port Trust employees, who were absorbed as indoor clerks in the Bombay Port Trust, should be allowed the advance increments on the basis of their service in the Karachi Port Trust, in terms of T.R. No. 720, dated 13th September 1949, in addition to the advance increments in terms of T.R. No. 502, dated 17th September 1946, by reason of their being graduates or Honours graduates.

(ii) The employers are Trustees of the Port of Bombay incorporated by Bombay Act VI of 1879 having their principal officers at Ballard Road, Fort, Bombay, and the establishments of the Bombay Port Trust concerned in the disputes are—

- (1) The Docks Department, Bombay Port Trust.
- (2) The Port Department, Bombay Port Trust, Establishment Section.

- (3) The Chief Engineer's Department, Bombay Port Trust, Marine Oil Terminal, Butcher Island.
- (4) The Controller of Stores's Department, Bombay Port Trust, Mazagon, Bombay-10.
- (5) The Railway Department, Bombay Port Trust, Office Establishment Section.
- (6) The Chief Accountant's Department, Bombay Port Trust.

(iii) The Workmen's Union concerned is the Bombay Port Trust General Workers' Union having its office at Kavarana Building, 1st Floor, 26, Frere Road, Bombay-9.

(iv) The total number of workmen employed in the establishments affected is 11,685.

(v) The estimated number of workmen affected or likely to be affected by the disputes is 726.

We further agree that the decision of the said Arbitrator shall be binding on us.

Dated this twenty-eighth day of August 1959.

Signed by

Shri Venilal Tribhovandas Dehejia, Chairman  
and by Shri Madan Gopal Abrol and  
by Mr. Norman Henry Granville Grant  
two of the Trustees of the Port of  
Bombay in the presence of

Sd./- V. T. DEHEJIA,  
Chairman.

Sd./- M. G. ABROL,  
Trustee.

Sd./- N. H. G. GRANT,  
Trustee.

Sd./- E. H. SIMOES,  
Secretary,  
Bombay Port Trust.

The Common Seal of the Trustees of the Port of Bombay affixed in the presence  
of

Sd./- E. H. SIMOES,  
Secretary,  
Bombay Port Trust.

Witness: Sd./- PADMANABHAN NAIR,  
21, Matarpakdi Road,  
Mazagaon, Bombay-10.

Sd./- S. MAITRA,  
General Secretary,  
Bombay Port Trust  
General Workers' Union.

I, F. Jeejeebhoy, hereby consent to act as the Sole Arbitrator in this matter.  
The 31st August, 1959.

Sd./- F. JEEJEEBHOY,

[No. 28/41/59/LR.IV.]

New Delhi, the 25th April 1960

**S.O. 1059.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Additional Industrial Tribunal, Bombay in the industrial dispute between Messrs. Sulaiman H. A. Hajee Cassum and Company, Bombay and their workmen.



IN THE CENTRAL GOVERNMENT ADDITIONAL INDUSTRIAL TRIBUNAL,  
BOMBAY.

REFERENCE No. CGIT-14 of 1960.

Employers in relation to Messrs. Sulaiman H. A. Hajee Cassum & Co.

AND

Their workmen.

PRESENT:

Shri Salim M. Merchant, *Presiding Officer*.

APPEARANCES:

*For the employers:* Shri A. H. Burud, LL.B., Advocate with Shri Abdul Majid Patka, Partner of Messrs. Sulaiman H. A. Hajee Cassum & Co.

*For the workmen:* Shri M. Kotwal, Secretary, Transport and Dock Workers' Union.

*Bombay, the 16th April 1960.*

INDUSTRY: STEVEDORING.

AWARD

STATE: BOMBAY.

The Central Government, by Ministry of Labour and Employment Order No. 28-2-60.LRIV, dated 5th February 1960, made in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (Act XIV of 1947), was pleased to refer the industrial Dispute between the parties above named in respect of the matters specified in the following schedule for adjudication to me:—

SCHEDULE

- "1. Whether the dearness allowance paid at present to the various categories of workmen is adequate? If not, what should be the dearness allowance and from what date should the enhanced dearness allowance be paid to the workmen concerned?
2. What sick leave and casual leave benefits are the workmen entitled to?
3. What should be the scheme of—
  - (i) Provident Fund and
  - (ii) Gratuity
 for the workmen.
4. Whether the workmen are entitled to bonus equivalent to 3 months wages for the years 1957-58 and 1958-59? If not, what should be the quantum of bonus payable to them?

2. After the employers filed their rejoinder on 1st April 1960, the dispute was fixed for hearing on 15th April 1960 and after submissions of the parties had been heard at some length, the parties after discussion, filed the terms of settlement reached between them and have prayed that an award may be made in terms thereof. A copy of the terms of settlement is annexed hereto and marked annexure 'A'.

As I am satisfied that the terms of settlement are fair and reasonable, I make an award in terms of the settlement Annexure A hereto, which shall form part of this Award.

SALIM M. MERCHANT, *Presiding Officer*,  
Central Government Additional Industrial  
Tribunal.

BEFORE THE CENTRAL GOVERNMENT ADDITIONAL INDUSTRIAL  
TRIBUNAL, BOMBAY

REFERENCE No. CGIT-14 of 1960.

Messrs. Sulaiman H. A. Hajee Cassum & Co., Bombay

AND

Their workmen.

MAY IT PLEASE THE TRIBUNAL,

We, the parties to the above dispute, have reached the following settlement on the subject matters in this dispute and pray that an award be made in terms thereof:—

*Demand No. 1.*—Whether the dearness allowance paid at present to the various categories of workmen is adequate? If not, what should be the dearness

allowance and from what date should the enhanced dearness allowance be paid to the workmen concerned?

The parties have agreed that dearness allowance shall be paid by the employers at the rates agreed to in the settlement, dated 28th December 1959 in Reference No. 1 of 1958 before Shri F. Jeejeebhoy, Arbitrator, appointed under section 10-A of the Industrial Disputes Act, 1947. It is agreed that for the clerical staff the dearness allowance shall be at the following rate:—

- Basic salary from Re. 1 to Rs. 100—Rs. 55 dearness allowance per month.
- Basic salary from Rs. 101 to Rs. 150—Rs. 60 dearness allowance per month.
- Basic salary from Rs. 151 to Rs. 200—Rs. 65 dearness allowance per month.
- Basic salary from Rs. 201 to Rs. 250—Rs. 70 dearness allowance per month.
- Basic salary from Rs. 251 to Rs. 300—Rs. 75 dearness allowance per month.
- Basic salary from Rs. 301 to Rs. 350—Rs. 80 dearness allowance per month.
- Basic salary from Rs. 351 onwards—Rs. 85 dearness allowance per month,

provided that if an existing employee is getting a higher quantum of dearness allowance per month the same shall be continued.

With regard to the subordinate staff, it is agreed that their minimum dearness allowance shall be Rs. 45 per month. In consideration of the union having agreed to this rate of dearness allowance, the management have agreed to adjust the existing basic pay of each of the subordinate staff at the next higher stage of the existing pay scale applicable to each workman as specified in the agreement, dated 31st August 1957, copy of which has been annexed to the written statement of the employers.

The revised rate of dearness allowance shall be paid from 1st January 1960 and adjustment will come into force from 1st April 1960.

*Demand No. 2.*—What sick leave and casual leave benefits are the workmen entitled to?

With regard to the clerical staff, the parties are agreed that at present they are entitled to 30 days privilege leave in the year with full pay and allowances. In view of this, with regard to casual leave the parties are agreed that the workmen shall be entitled to 10 days casual leave in the year on the following terms and conditions:—

- (i) Casual leave is not to be claimed as of right but only for emergencies and unforeseen circumstances;
- (ii) not more than three days casual leave can be claimed at a time;
- (iii) casual leave cannot be allowed to be accumulated;
- (iv) the workmen will be entitled to prefix or suffix Sundays or holidays to the casual leave, with the previous permission of the management.

It is agreed that the company shall grant seven days sick leave in the year to the clerical staff with a right to accumulate up to sixty days.

Both sick leave and casual leave will be on full pay and allowances.

It is agreed that the subordinate staff at present are entitled to 21 days privilege leave in the year with full pay and dearness allowance. In view of this, the parties are agreed that they shall be granted the same casual and sick leave as is granted to the clerical staff.

*Demand No. 3.*—What should be the schemes of—

- (i) Provident fund and
- (ii) Gratuity.

In view of the employers' plea that they are at present not in a position to bear the financial burden of two schemes of retirement benefits the union does not press its demand for a scheme of provident fund.

The parties are agreed upon the following scheme of gratuity which shall come into force with effect from 1st April 1960 but all the past services of the workmen with this company or its predecessors, shall be taken into account for calculating gratuity.

## SCHEME FOR GRATUITY

In the event of death whilst in service or disability to continue further in service due to physical or mental infirmity.

Three-fourth month's basic pay for each year of service with a maximum of 15 months' basic pay to be paid to the disabled workman and in the event of death to his heirs, assignees or legal representatives.

In the event of voluntary retirement or resignation after 10 years service.

Half a month's basic pay for each completed year of service with a maximum of 15 months' basic pay.

In the event of termination of service by the employer after 10 years service.

Half a month's basic pay for each completed year of service with a maximum of 15 months' basic pay.

Gratuity to be calculated at the rate of basic pay last drawn prior to the occurrence of the event entitling the workman to gratuity.

*Demand No. 4.*—Whether the workmen are entitled to bonus equivalent to 3 months wages for the years 1957-58 and 1958-59? If not, what should be the quantum of bonus payable to them?

After seeing the balance sheets and profit and loss accounts of the company for the years 1957-58 and 1958-59, the Union did not press the claim for bonus for the year 1957-58 and agreed to accept *ex-gratia* payment of half a month's basic wages as bonus for the year 1958-59, ended 31st March 1959. The bonus shall be calculated on the basic pay as on 31st March 1959, and shall be paid to each workman by 25th April 1960.

All other dues under this award shall be paid within one month from the date this award is published in the Government Gazette.

BOMBAY;

The 15th April, 1960.

For and on behalf of Messrs. Sulaiman  
H. A. Hajee Cassum & Co.,

(Sd.) Illegible,

Partner.

For and on behalf of the Transport  
and Dock Workers' Union, for the  
workmen.

(Sd.) Illegible,

Secretary.

Before me,

(Sd.) SALIM M. MERCHANT,

Presiding Officer.

Central Government Additional Industrial  
Tribunal, Bombay.  
[No. 28/2/60/LRIV.]

A. L. HANDA, Under Secy

New Delhi, the 21st April 1960

**S.O. 1060.**—In exercise of the powers conferred by sub-rule (2) of rule 11, clause (b) of sub-rule (2) of rule 14 and sub-rule (1) of rule 23 of the Central Civil Services (Classification, Control and Appeal) Rules, 1957, the President hereby makes the following amendments in the

Schedule to the notification of the Government of India in the late Ministry of Labour No S.R.O.623 dated the 28th February, 1957, namely:—

In the said Schedule—

(1) in Part I—General Central Service Class II after the existing entries, the following entries shall be inserted, namely:—

| 1                                       | 2   | 3   | 4                     |
|---|---|---|-----------------------|
| <i>"Mica Mines Labour Welfare Fund"</i> |   |   |                       |
| <i>Bihar Circle</i>                     |   |   |                       |
| All Posts . . .                         | Secretary, Ministry of Labour and Employment. | Secretary, Ministry of Labour and Employment.<br>Welfare Commissioner, (i) to (iii)<br>Dhanbad. | All                   |
| <i>Andhra Circle</i>                    |   |   |                       |
| All Posts . . .                         | Secretary, Ministry of Labour and Employment. | Secretary, Ministry of Labour and Employment.<br>Chairman, Advisory Committee, Andhra.          | All<br>(i) to (iii)"; |

(2) in Part II—General Central Service, Class III, after the existing entries, the following entries shall be inserted, namely:—

| 1   | 2                               | 3  | 4            | 5   |
|---|---------------------------------|--|--------------|---|
| <i>"Mica Mines Labour Welfare Fund"</i>   |                                 |  |              |   |
| <i>Bihar Circle</i>   |                                 |  |              |   |
| <i>Medical Section</i>  |                                 |  |              |   |
| Sister-in-Charge ;<br>Head Clerk-cum-<br>Accountant; Civil<br>Assistant & Surgeon<br>(Grade II) | Welfare Commissioner, Dhanbad.] | Welfare Commissioner, Dhanbad.                 | All          | Secretary, Ministry of Labour and Employment. |
|   |                                 | Superintendent,<br>Central Hospital,<br>Karma. | (i)          | Welfare Commissioner, Dhanbad.                |
| All other posts . . .   | Welfare Commissioner, Dhanbad.] | Welfare Commissioner, Dhanbad.                 | All          | Secretary, Ministry of Labour and Employment. |
|   |                                 | Superintendent,<br>Central Hospital,<br>Karma. | (i) to (iii) | Welfare Commissioner, Dhanbad.                |
| <i>Welfare Section]</i>   |                                 |  |              |   |
| Assistant Welfare<br>Inspector: Assistant Welfare Inspector.                                    | Welfare Commissioner, Dhanbad.] | Welfare Commissioner, Dhanbad.                 | All ]        | Secretary, Ministry of Labour and Employment. |
|   |                                 | Secretary-cum-<br>Executive Officer.           | (i)          | Welfare Commissioner, Dhanbad.                |
| All other posts . . .   | Welfare Commissioner, Dhanbad.  | Welfare Commissioner, Dhanbad.                 | All          | Secretary, Ministry of Labour and Employment. |
|   |                                 | Secretary-cum-<br>Executive Officer.           | (i) to (iii) | Welfare Commissioner, Dhanbad.                |
| <i>Engineering Section</i>  |                                 |  |              |   |
| Divisional Accountant; Overseer   | Welfare Commissioner, Dhanbad.  | Welfare Commissioner, Dhanbad.                 | All          | Secretary, Ministry of Labour and Employment. |
|   |                                 | Assistant Engineer                             | (i)          | Welfare Commissioner, Dhanbad.                |

| 1  | 2                                       | 3  | 4                   | 5   |
|--|---|--|---------------------|---|
| All other posts  | Welfare Commissioner, Dhanbad.          | Welfare Commissioner, Dhanbad.<br>Assistant Engineer   | All<br>(i) to (iii) | Secretary, Ministry of Labour and Employment.<br>Welfare Commissioner, Dhanbad.           |
| <i>Andhra Circle</i>   |   |  |                     |   |
| Assistant Labour Welfare Inspector, Civil Assistant Surgeon, (Grade II). | Chairman, Advisory Committee, Andhra.   | Chairman, Advisory Committee, Andhra.<br><br>Secretary, If this post is held by Gazetted Officer). | All<br>(i)          | Secretary, Ministry of Labour and Employment.<br><br>Chairman, Advisory Committee Andhra. |
| All other posts  | Chairman, Advisory Committee, Andhra.   | Chairman, Advisory Committee Andhra.<br>Secretary, (If this post is held by a Gazetted Officer).   | All<br>(i) to (iii) | Secretary, Ministry of Labour and Employment.<br>Chairman, Advisory Committee, Andhra.    |
| <i>Rajasthan Circle</i>  |   |  |                     |   |
| All posts  | Chairman, Advisory Committee Rajasthan. | Chairman, Advisory Committee, Rajasthan.   | All                 | Secretary, Ministry of Labour and Employment”;  |

(3) in Part III—General Central Service, Class IV, after the existing entries, the following entries shall be inserted, namely :—

| 1                                      | 2  | 3   | 4                   | 5   |
|--|--|---|---------------------|---|
| <i>“Mica Mines Labour Welfare Fund</i> |  |   |                     |   |
| <i>Bihar Circle</i>                    |  |   |                     |   |
| <i>Medical Section</i>                 |  |   |                     |   |
| All posts                              | Superintendent, Central Hospital, Karma. | Superintendent, Central Hospital, Karma.  | All                 | Welfare Commissioner, Dhanbad.  |
| <i>Welfare Section</i>                 |  |   |                     |   |
| All posts                              | Secretary-cum-Executive Officer.         | Secretary-cum-Executive Officer.  | All                 | Welfare Commissioner, Dhanbad.  |
| <i>Engineering Section</i>             |  |   |                     |   |
| All posts                              | Assistant Engineer                       | Assistant Engineer  | All                 | Welfare Commissioner, Dhanbad.  |
| <i>Andhra Circle</i>                   |  |   |                     |   |
| All posts                              | Chairman Advisory Committee, Andhra.     | Chairman, Advisory Committee, Andhra.<br><br>Secretary, (If this post is held by a Gazetted Officer). | All<br>(i) to (iii) | Deputy Secretary Ministry of Labour and Employment.<br>Chairman Advisory Committee, Andhra. |
| <i>Rajasthan Circle</i>                |  |   |                     |   |
| All posts                              | Chairman, Advisory Committee, Rajasthan. | Chairman, Advisory Committee, Rajasthan.  | All                 | Deputy Secretary, Ministry of Labour and Employment”.                                       |

**S.O. 1061.**—In pursuance of regulation 25 of the Coal Mines Regulations, 1957, the Central Government hereby appoints Shri S. N. Sharma, I.A.S., Deputy Commissioner, Dhanbad, as Court of Inquiry and relieves Shri R. P. Khanna, I.A.S., of his duties as Court of Inquiry and directs that the following amendment be made in the notification of the Government of India, Ministry of Labour and Employment S.O. 421 dated the 25th March, 1958, as amended by S.O. 2012, dated the 3rd September, 1959 and S.O. 49 dated the 26th December, 1959, namely:—

In the said notification, for the entry

“Shri R. P. Khanna, I.A.S., Deputy Commissioner, Dhanbad (Bihar)”, the entry “Shri S. N. Sharma, I.A.S., Deputy Commissioner, Dhanbad” and for the entry “Shri R. P. Khanna” the entry “Shri S. N. Sharma” shall be substituted.

[No. 2/3/60-M.I.]

**S.O. 1062.**—In exercise of the powers conferred by section 8 of the Coal Mines Labour Welfare Fund Act, 1947 (32 of 1947), read with rule 6(1)(iv) of the Coal Mines Labour Welfare Fund Rules, 1949, the Central Government, in consultation with the Coal Mines Labour Welfare Fund Advisory Committee, hereby nominates Shri B. R. Pai as a member of the Coal Mines Labour Housing Board *vice* Shri B. R. Tooley who by retirement has ceased to represent the interests to represent which he was nominated in the notification of Government of India in the Ministry of Labour and Employment S.O. 1312 dated the 29th May 1959.

[No. 3(12)/60-MII.]

*New Delhi, the 26th April 1960*

**S.O. 1063.**—In pursuance of clause (b) of sub-regulation (3) of regulation 80 of the Coal Mines Regulations 1957, framed under the Mines Act, 1952 (35 of 1952), the Central Government hereby approves the following laboratories, institutions and test houses for the purpose of testing the winding ropes:

| S. No. | Name of the laboratory, institution or test house   | Address   |
|--------|---|---|
| 1.     | Government test house.  | 11/1, Judge's Court Road, Alipore, Calcutta—27. |
| 2.     | Messrs. Garden Reach Workshop, Private Ltd.   | Calcutta.                                       |
| 3.     | The Director of Inspection (Met, Directorate General of Supplies and Disposals (Inspection Wing). | Tatanagar.                                      |
| 4.     | National Physical Laboratory.   | Hillside Road New Delhi-12                      |

[No. 1/26/60-MI.]

A. P. VEERA RAGHAVAN, Under Secy.

*New Delhi, the 21st April 1960*

**S.O. 1064.**—Whereas immediately before the Employees' Provident Funds Act, 1952 (19 of 1952), became applicable with effect from the 1st September, 1956, to the factory known as the Kumbakonam Electric Supply Corporation Limited, Kumbakonam, there was in existence a provident fund common to the employees employed in the factory, to which the said Act applies and the employees in its twenty-two Branch Offices specified in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by section 3 of the said Act, the Central Government hereby directs that the provisions of that Act shall also apply to the said twenty-two Branch Offices.

#### SCHEDULE

1. The Kumbakonam Electric Supply Corporation, Limited, Melacauveri-Kumbakonam.

2. The Kumbakonam Electric Supply Corporation, Limited, Darasuram, Tanjore District.
3. The Kumbakonam Electric Supply Corporation, Limited, Aduthurai, Tanjore District.
4. The Kumbakonam Electric Supply Corporation, Limited, Ammapet, Tanjore District.
5. The Kumbakonam Electric Supply Corporation, Limited, Ayyampet, Tanjore District.
6. The Kumbakonam Electric Supply Corporation, Limited, Ganapathiagaram, Tanjore District.
7. The Kumbakonam Electric Supply Corporation, Limited, Kabistalam, Tanjore District.
8. The Kumbakonam Electric Supply Corporation, Limited, Mariammankoll, Tanjore District.
9. The Kumbakonam Electric Supply Corporation, Limited, Natchiarkoll, Tanjore District.
10. The Kumbakonam Electric Supply Corporation, Limited, Narasinganpet, Tanjore District.
11. The Kumbakonam Electric Supply Corporation, Limited, Papanasam, Tanjore District.
12. The Kumbakonam Electric Supply Corporation, Limited, Sundaraporumalkoil, Tanjore District.
13. The Kumbakonam Electric Supply Corporation, Limited, Swamimalai, Tanjore District.
14. The Kumbakonam Electric Supply Corporation, Limited, Tanjore, Tanjore District.
15. The Kumbakonam Electric Supply Corporation, Limited, Thirukkarugavur, Tanjore District.
16. The Kumbakonam Electric Supply Corporation, Limited, Tirunageswaram, Tanjore District.
17. The Kumbakonam Electric Supply Corporation, Limited, Thiruppanandal, Tanjore District.
18. The Kumbakonam Electric Supply Corporation, Limited, Thiruppanthurithi, Tanjore District.
19. The Kumbakonam Electric Supply Corporation, Limited, Thiruvadamurudur, Tanjore District.
20. The Kumbakonam Electric Supply Corporation, Limited, Thiruvaiyaru, Tanjore District.
21. The Kumbakonam Electric Supply Corporation, Limited, Valangiman, Tanjore District.
22. The Kumbakonam Electric Supply Corporation, Limited, Veppathur, Tanjore District.

[No. PF.II.7(4)/60.]

**S.O. 1065.**—In pursuance of clause (1) of article 239 of the Constitution, the President hereby directs that the power of the appropriate Government under the Explanation to sub-clause (ii) of clause (f) of paragraph 2, as substituted by clause 2 of paragraph 80 of chapter X of the Employees' Provident Funds Scheme, 1952, to specify the authority who may declare a person as an apprentice or probationer, shall, subject to the control of the President, also be exercisable by the Administrators (whether known as Chief Commissioner, Lieutenant Governor or Administrator of the Union territories of Delhi, Himachal Pradesh, Manipur, Tripura and the Andaman and Nicobar Islands within their respective territories.

[No. P.F.II/5(13)/58.]

*New Delhi, the 22nd April 1960*

**S.O. 1066.**—In pursuance of clause (1) of article 239 of the Constitution and in supersession of the notification of the Government of India, Ministry of Labour and Employment, No. S.O. 1237, dated the 20th June, 1958, published at page 1109 of the Gazette of India, Part II Section 3(ii), dated the 28th June,

1958, the President hereby directs that the powers exercisable by the Central Government under sub-section (4) of section 1 and by the appropriate Government under sub-section (1) of section 17 of the Employees' Provident Funds Act, 1952 (19 of 1952), shall also be exercisable by the Administrators (whether known as Chief Commissioner Lieutenant Governor or Administrator) of the Union territories of Delhi, Himachal Pradesh, Manipur, Tripura, the Andaman and Nicobar Islands and the Laccadive, Minicoy and Amindivi Islands, within their respective territories.

[PF.II.11(40)/59]

**S.O. 1067.**—In exercise of the powers conferred by sub-section (1) of section 4 of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), the Central Government hereby makes the following further amendment in the Bombay Dock Workers (Regulation of Employment) Scheme 1956, the same having been previously published as required by the said sub-section, namely:—

*Amendment*

In the said scheme—

(i) in clause 45 after sub-clause (4) the following sub-clause shall be inserted namely:—

“(4-A)-(a) Where a worker has been suspended pending enquiry, he shall be paid for each day of suspension a subsistence allowance equivalent to the attendance allowance provided in clause 32 or one-fourth of his daily wage including dearness allowance, whichever is greater; provided that for the period of suspension in excess of a month, the Chairman may, in exceptional cases grant a higher subsistence allowance not exceeding half the total daily wage including dearness allowance;

(b) the subsistence allowance so paid shall not be recoverable or liable to forfeiture in any case whatsoever;

(c) where a worker is found not guilty, he shall be entitled to such payments in respect of the period of his suspension as the Administrative Body may certify that the worker would have received on the time rate basis or under clause 32 had he not been suspended, provided that the amounts so payable shall be reduced by the amount of subsistence allowance already paid during that period;”

(ii) in clause 50 the following shall be inserted at the end of sub-clause (2) as item (iii) namely:—

“(iii)-(a) Where a worker has been suspended pending enquiry, he shall be paid for each day of suspension a subsistence allowance equivalent to the attendance allowance provided in clause 32 or one fourth of his daily wage including dearness allowance, whichever is greater; provided that for the period of suspension in excess of a month, the Chairman may, in exceptional cases grant a higher subsistence allowance not exceeding half the total daily wage including dearness allowance;

(b) the subsistence allowance so paid shall not be recoverable or liable to forfeiture in any case whatsoever;

(c) Where a worker is found not guilty, he shall be entitled to such payments in respect of the period of his suspension as the Administrative Body may certify that the worker would have received on the time rate basis or under clause 32 had he not been suspended, provided that the amount so payable shall be reduced by the amount of subsistence allowance already paid during that period.”

[No. 175(72)(i)/59-Fac.]

**S.O. 1068.**—In exercise of the powers conferred by sub-section (1) of section 4 of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), the Central Government hereby makes the following further amendment in the Madras Dock Workers (Regulation of Employment) Scheme 1956, the same having been previously published as required by the said sub-section, namely:—

*Amendment*

In the said scheme—

(i) in clause 46. after sub-clause (4) the following sub-clause shall be inserted namely:—

“(4-A)-(a) Where a worker has been suspended pending enquiry, he shall be paid for each day of suspension a subsistence allowance equivalent to the attendance allowance provided in clause 32 or one-fourth of his daily wage including dearness



allowance, whichever is greater; provided that for the period of suspension in excess of a month, the Chairman may, in exceptional cases grant a higher subsistence allowance not exceeding half the total daily wage including dearness allowance;

(b) the subsistence allowance so paid shall not be recoverable or liable to forfeiture in any case whatsoever;

(c) where a worker is found not guilty, he shall be entitled to such payments in respect of the period of his suspension as the Administrative Body may certify that the worker would have received on the time rate basis or under clause 32 had he not been suspended, provided that the amounts so payable shall be reduced by the amount of subsistence allowance already paid during that period;"

(ii) in clause 51, the following shall be inserted at the end of sub-clause (2) as item (iii) namely:—

"(iii)-(a) Where a worker has been suspended pending enquiry, he shall be paid for each day of suspension a subsistence allowance equivalent to the attendance allowance provided in clause 32 or one fourth of his daily wage including dearness allowance, whichever is greater; provided that for the period of suspension in excess of a month, the Chairman may, in exceptional cases grant a higher subsistence allowance not exceeding half the total daily wage including dearness allowance;

(b) the subsistence allowance so paid shall not be recoverable or liable to forfeiture in any case whatsoever;

(c) Where a worker is found not guilty, he shall be entitled to such payments in respect of the period of his suspension as the Administrative Body may certify that the worker would have received on the time rate basis or under clause 32 had he not been suspended, provided that the amount so payable shall be reduced by the amount of subsistence allowance already paid during that period."

[No. 175(72)(II)/59-Fac.]

**S.O. 1069.**—In exercise of the powers conferred by sub-section (1) of section 4 of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), the Central Government hereby makes the following further amendment in the Cochin Dock Workers (Regulation of Employment) Scheme, 1959, the same having been previously published as required by the said sub-section, namely:—

#### *Amendment*

In the said Scheme,—

(i) in clause 46, after sub-clause (4) the following sub-clause shall be inserted namely:—

"(4-A)—(a) Where a worker has been suspended pending enquiry, he shall be paid for each day of suspension a subsistence allowance equivalent to the attendance allowance provided in clause 32 or one-fourth of his daily wage including dearness allowance, whichever is greater; provided that for the period of suspension in excess of a month, the Chairman, may in exceptional cases grant a higher subsistence allowance not exceeding half the total daily wage including dearness allowance;

(b) the subsistence allowance so paid shall not be recoverable or liable to forfeiture in any case whatsoever;

(c) where a worker is found not guilty, he shall be entitled to such payments in respect of the period of his suspension as the Administrative Body may certify that the worker would have received on the time rate basis or under clause 32 had he not been suspended, provided that the amounts so payable shall be reduced by the amount of subsistence allowance already paid during that period;"

(ii) in clause 51, the following shall be inserted at the end of sub-clause (2) as item (iii) namely:—

"(iii)—(a) Where a worker has been suspended pending enquiry, he shall be paid for each day of suspension a subsistence allowance equivalent to the attendance allowance provided in clause 32 or one fourth of his daily wage including dearness allowance, whichever is greater; provided that for the period of suspension in excess of a month, the Chairman may, in exceptional cases grant a higher subsistence allowance not exceeding, half the total daily wage including dearness allowance;

(b) the subsistence allowance so paid shall not be recoverable or liable to forfeiture in any case whatsoever;

(c) where a worker is found not guilty, he shall be entitled to such payments in respect of the period of his suspension as the Administrative Body may certify that the worker would have received on the time rate basis or under clause 32 had he not been suspended, provided that the amount so payable shall be reduced by the amount of subsistence allowance already paid during that period".

[No. 175(72) (iii) /59-Fac.]

**S.O. 1070.**—In exercise of the powers conferred by sub-section (1) of section 4 of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), the Central Government hereby makes the following further amendment in the Vizagapatam Dock Workers (Regulation of Employment) Scheme 1959, the same having been previously published as required by the said sub-section, namely:—

#### *Amendment*

In the said Scheme:—

(i) in clause 45 after sub-clause (4) the following sub-clause shall be inserted namely:—

"(4-A)—(a) Where a worker has been suspended pending enquiry, he shall be paid for each day of suspension a subsistence allowance equivalent to the attendance allowance provided in clause 31 or one-fourth of his daily wage including dearness allowance, whichever is greater; provided that for the period of suspension in excess of a month, the Chairman may, in exceptional cases grant a higher subsistence allowance not exceeding half the total daily wage including dearness allowance;

(b) the subsistence allowance so paid shall not be recoverable or liable to forfeiture in any case whatsoever;

(c) where a worker is found not guilty, he shall be entitled to such payments in respect of the period of his suspension as the Administrative Body may certify that the worker would have received on the time rate basis or under clause 31 had he not been suspended, provided that the amounts so payable shall be reduced by the amount of subsistence allowance already paid during that period;"

(ii) in clause 50 the following shall be inserted at the end of sub-clause (2) as item (iii) namely:—

"(iii)—(a) Where a worker has been suspended pending enquiry, he shall be paid for each day of suspension a subsistence allowance equivalent to the attendance allowance provided in clause 31 or one-fourth of his daily wage including dearness allowance, whichever is greater; provided that for the period of suspension in excess of a month, the Chairman may, in exceptional cases grant a higher subsistence allowance not exceeding half the total daily wage including dearness allowance;

(b) the subsistence allowance so paid shall not be recoverable or liable to forfeiture in any case whatsoever;

(c) where a worker is found not guilty, he shall be entitled to such payments in respect of the period of his suspension as the Administrative Body may certify that the worker would have received on the time rate basis or under clause 31 had he not been suspended, provided that the amount so payable shall be reduced by the amount of subsistence allowance already paid during that period.

[No. 175(72) (iv) /59-Fac.]

*New Delhi, the 25th April 1960*

**S.O. 1071.**—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds, Act, 1952 (19 of 1952), the Central Government hereby appoints Shri K. S. Pal to be an Inspector for the whole of the State of Madhya Pradesh for the purposes of the said Act and of any scheme framed thereunder, in relation to an establishment belonging to, or under the control of, the Central Government or in relation to an establishment connected with a railway company, a major port, a mine or an Oil-field or a controlled industry.

[No. 31(695) 60/PF-I.]

*New Delhi, the 26th April 1960*

**S.O. 1072 PWA/Mines/Rules/Am.**—The following draft of certain further amendments to the Payment of Wages (Mines) Rules, 1958, which the Central Government proposes to make in exercise of the powers conferred by sub-sections (2), (3) and (4) of section 26, read with section 24, of the Payment of Wages Act, 1936 (4 of 1936), is published as required by sub-section (5) of section 26 of the said Act for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 1st August 1960.

Any objection or suggestion which may be received from any person with respect to the said draft before the date specified will be considered by the Central Government. Such objection or suggestion should be addressed to "The Secretary to the Government of India, Ministry of Labour and Employment, New Delhi."

*Draft Amendment*

In the said rules,—

in the proviso to rule 5, after the word "administration" the words "or a combined form is sought to be used by the employer to avoid duplication of work for compliance with the provisions of any other Act or the rules framed thereunder" shall be inserted.

[No. FAC. 535(4)/60.]

P. D. GAIHA, Under Secy.

*New Delhi, the 26th April 1960*

**S.O. 1073.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Madras, in the industrial dispute between the employers in relation to the Vanguard Insurance Company Limited, Madras and their workmen.

**BEFORE THE INDUSTRIAL TRIBUNAL, MADRAS**

Friday the eighth day of April,

One thousand Nine Hundred and Sixty

**PRESENT:**

Sri K. Ramaswami Goundar, B.A., M.L.

Industrial Dispute No. 19 of 1960

(In the matter of the dispute between the workmen and the management of the Vanguard Insurance Company Ltd., Madras).

**BETWEEN**

The General Secretary, General Insurance Employees' Union, 12/13, Angappa Naicken Street, Madras—1.

**AND**

The Secretary, Vanguard Insurance Company Ltd., Madras—1.

Reference: LR11-11(21)/59 of the Ministry of Labour and Employment, New Delhi, dated the 5th March, 1960.

**Issues:**

- (1) Scales of pay.
- (2) Dearness allowance.
- (3) Gratuity.
- (4) Provident Fund.
- (5) Leave
- (6) Allowances during suspension.
- (7) Holidays.
- (8) Date of effect.

This dispute coming on for hearing yesterday and this day in the presence of Sri P. J. Seetharaman for the Union and of Sri C. Doraswami of Messrs. King and Partridge for Sri M. R. Narayanaswami, Advocate, for the management and the parties to the dispute having filed a memorandum of settlement into Court praying that an award may be passed in terms of that settlement, the Tribunal passed the following:

### AWARD

This is a reference made by the Central Government in respect of some matters of dispute between the management of Vanguard Insurance Company Ltd., Madras, and their workmen. The reference was taken up for enquiry, and the points in dispute were discussed. Thereafter, Sri Doraswami appearing for the management and Sri Seetharaman for the Union took time to negotiate and come to a settlement and accordingly they have arrived at a settlement on the matters in dispute, and have filed a joint memorandum of settlement into Court. Sri Seetharaman represents an Union of which most of the employees of this company are members; and it is represented that only a small minority of employees are not members of this Union. Having regard to the nature and the circumstances of the dispute and the terms on which the settlement has been reached, I feel no doubt that the terms of the settlement are quite fair and reasonable, and I have no hesitation in extending its benefit to all the workers and according my sanction to it and passing an award on those terms, which are as follows:

### TERMS OF SETTLEMENT

It is agreed between the parties as follows:

**1. Scales of pay.**—The demand for the introduction of scales of pay is not pressed. The management agrees to give wage increases with effect from 1st January 1960 to the clerks (who were in service on 31st December 1959) as follows:—

An annual increment of Rs. 5 to every clerk whose pay on 31st December 1959 was less than Rs. 100 per month and an annual increment of Rs. 7 to each clerk whose pay on 31st December 1959 was in excess of Rs. 100 per month and less than Rs. 250. The management will also give similar increments at the aforesaid rates on 1st January 1961 but not in years subsequent to 1961 and it is hereby agreed that the increments given aforesaid shall not in any manner be a pattern when wage scales are fixed.

No increments in basic pay shall be given to peons and watchmen and it is hereby agreed that for the duration of this agreement Rs. 45 per mensem shall represent the maximum basic pay of peons and watchmen.

**2. Dearness Allowance: Effective from 1st January 1960.**—The Management will pay to each clerk (in service on 31st December 1959) and in receipt of a salary of less than Rs. 250 per month a sum of Rs. 55 as dearness allowance per month in addition to his salary.

Each peon and watchman will be paid with effect from 1st January 1960 a sum of Rs. 40 per month as dearness allowance in addition to his salary subject, however, to the condition that the total emoluments (basic pay plus dearness allowance) during the period of this agreement of any peon and watchmen shall not exceed Rs. 85 per mensem. The pay of any peon and watchman in excess of Rs. 45 per month shall be deemed to represent dearness allowance from 1st January, 1960 and such excess shall be adjusted in the dearness allowance payable under this clause.

**3. Gratuity.**—Until the introduction of a provident fund scheme for the benefit of the workmen the Management agrees to pay gratuity to its workmen as follows:

- (i) On the death of a workman while in the service of the company or on his becoming physically or mentally incapacitated for further service or on termination of service by the Company one month's basic pay for each completed year of service subject to a maximum of fifteen months basic pay.

- (ii) On voluntary retirement or resignation of a workman after ten continuous years of service in the Company on the same scale as (i).

4. Basic wages for for the purpose of this scheme shall be the average of the basic wage payable to a workman during 12 months preceding death, disability, retirement, resignation or termination of service.

5. In this scheme the term "completed year of service" means the total number of years of service. In calculating such service the balance in excess of full years will be treated as follows:

Period of six months and above will be reckoned as one full year and periods of less than six months will be ignored.

6. No gratuity under this scheme shall be payable to any workman who is dismissed for misconduct.

In view of the Management's assurance that they are contemplating the introduction of a Provident Fund Scheme for the benefit of the workmen the demand for the institution of a Provident Fund Scheme is not pressed for the time being.

7. **Leave: Effective from 1st January 1960.**—The workmen shall be entitled to leave every year as follows:

Casual leave—12 days.

Sick leave—15 days (accumulable to a maximum of 30 days).

Privilege leave—21 days (accumulable to a maximum of 45 days).

8. **Allowance during suspension.**—The Union does not press this demand for the time being and the Management agrees to hold the enquiry into any charge against the workmen for misconduct within 15 days from the date of the issue of the charge sheet.

9. **Holidays.**—In view of the Management's statement that all holidays under the Negotiable Instruments Act except those relating to Muslim Festivals will be granted as holidays the Union does not press this demand.

10. **Date of effect.**—It is hereby agreed that the benefits under this agreement shall be effective retrospectively from 1st January 1960 and it is hereby further agreed that this agreement shall be in force and will be binding on the parties until 31st December 1961 and that during the period of this agreement, the Union will withdraw the demands already made and not make any other or further demands.

It is the intention of the parties that the position relating to the matters covered by this agreement and other terms and conditions of service may be reviewed and mutually discussed after the period of the agreement and in the absence of any agreement between the parties the points of dispute then subsisting may be referred to and determined in accordance with law."

There will be an award accordingly.

Sd/- K. Ramaswami Goundar,  
Industrial Tribunal.

TRUE COPY

Head Ministerial Officer.

[No. LR-II/11(21)/59.]

S. N. TULSIANI, Under Secy.

